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G. BAILEY, *Washington, D. C.*

WASHINGTON, D. C.

For the National Era.

THOUGHTS BESIDE A CRADLE.

BY C. A. M.

I have a priceless jewel,
That Ind could never buy,
And though on earth it sparkles,
Its birth-place is the sky.
I know the friend who gave it,
May yet recall the gift;
Yet daily to the Giver
This grateful prayer I lift:
"I thank Thee for the treasure lent;
'Tis Thine—'tis mine—I am content."

I have a bud of beauty,
That opens with the dawn,
And fills my heart with fragrance,
Until the day is gone.
And when the dewy evening
Comes on so fair and still,
God sends His blessed angels
To shelter it from ill;
And through the livelong night they stay,
And keep each harmful thing away.

I have a tiny nestling,
A winsome, happy bird,
Whose music is the sweetest
My ear has ever heard.
It nestles on my bosom,
And sings so sweet and clear,
I sometimes think the angels
Must hush their harps to hear;
Is it an idle thought, or wrong,
That Heaven should pause to hear the song?

My bird, my bud, my jewel—
My happy, blue-eyed boy!
I clasp thee to my bosom,
And weep for very joy.
May He who gave thee, darling,
Give also unto me,
To keep my precious jewel
From every blemish free;
To train my blossom for the skies,
To plume my bird for Paradise!

LIFE IN PARIS.

PARIS, *December* 31, 1857.

The International Congress—Crisis in Hamburgh and Berlin—Algiers, and the probable success of Emperor Napoleon's views with respect to it—Girardin's Appeals to Liberty—The Views of the French Press on President Buchanan's First Message—Ball to be given by our new Consul, Mr. Spencer—The Jeufosse Trial—Mr. Wright, our Minister at Berlin, a Member of the Temperance Society.

To the Editor of the National Era.

It is now rumored that the International Congress will not meet in this city till the middle of January next. Until then, there will not be anything of interest to say on politics.

I am happy to be able to state that the crisis in Hamburgh and Berlin is on the decline, and it is expected that many of those old stanch German houses will soon resume business again.

Girardin continues to publish his Appeals for Liberty, and, to give you an idea of his forcible language in favor of Democracy, I will subjoin a translation of one of them.

The knowing ones pretend that Emperor Napoleon will institute majorats, or entailed estates, in Algiers. The public lands are to be given to distinguished generals and other persons of note, on condition that the wild lands of that favored climate and fertile region shall be cultivated. Unfortunately, the French generals are, with few exceptions, poor, and Napoleon will therefore be obliged to furnish them with money, besides the lands, to carry out his views. It is thought that his great scheme, to raise cotton enough in Algeria to supply France, may now be realized. Cotton has been several years introduced; and though the Government pays a high bonus on every pound raised in that colony, the whole number of acres planted in cotton only amount to about one hundred and eighty.

The French papers have generally published a translation of the first message of President Buchanan, and speak very highly of the manner in which he treats subjects concerning France and its interests. The remarks of Mr. Buchanan on banking are thought exceedingly just, and many seem to think that banks and paper money will be done away with entirely. The *Pays* labors under the impression that the Message indicates the realization of the ideas of government and authority entertained by the founders of the Republic and their immediate successors, and that Mr. Buchanan tends toward a more energetic policy of Government, &c. The several papers comment upon that document according to their political views; and it is really amusing to see how little the French understand the Government of the United States and the power of the President. One thing is very certain: the Europeans are becoming with every day more and more interested in the affairs of the United States; since the last crisis, especially, they have perceived that their commercial and industrial interests are intimately interwoven with those of our country.

To-morrow (New Year's Day) is the great day for the Parisians. There is no place in the whole world where so many *etrennes* (presents) are given. All classes of society, from the richest to the poorest, from the aged to the youthful, and servants as well as masters, receive and give presents; bonbons, playthings, and kisses, are cheap, and always at hand, to settle the accounts of friendly intercourse for a whole year.

A visiter in Paris just at this moment might come to the conclusion that the French are the busiest and happiest people on the face of the globe. All Paris is out, this beautiful day, shopping. Towards dinner hour, six o'clock, they will seek their homes, laden with the fruit of their exertions, like bees in a warm spring day.

All give, and expect something in return; the letter-carrier leaves an almanack at the door, for which he expects ten times its value; the water-carrier, milkman, porter, and servants, build castles in the air, in anticipation of your generosity. Children, of course, are the principal claimants.

It is a rich harvest time for shopkeepers, who display their merchandise in the most inviting and tasteful manner. The Boulevarts, from the Church de la Madeleine to the Bastile, on both sides of the side-walk, are lined with small booths, containing "*des articles de Paris*," consisting of all sorts of nick-nacks, of but little value—booth and merchandise not worth more than twenty dollars. Some of them have billiard tables, target shooting; roulettes are innumerable, where for one cent the lucky ones may win one-fourth of that amount in gingerbread.

The bustle, both day and night, is extreme; and it is scarcely possible to pierce one's way through the crowd. At every house-door there stands a pedlar offering a *nouveauté* of a toy for sale, with a volubility of language in its praise peculiar to Parisians.

The children's beau ideal of a toy shop is Giroux's, where crowned heads make their purchases; it is truly a curiosity; and it is worth a visit to that vast establishment to admire the gigantic dolls, dressed in the most exquisite costumes of the time of Louis XV, as well as in the fashion of the present day.

Giroux also satisfies the tastes and wants of the matured. He keeps the most renowned *chef d'œuvres* of the *toilet table*, clocks, pictures, bronzes, porcelains, and gorgeous pieces of furniture.

The Empress herself often visits that beautiful establishment, where all the fashionables of Paris assemble, when it is known she will be there to make her purchases. The Emperor of Russia also sends to Giroux for his children's toys.

New Year's day is that for family visiting. Friends exchange only cards to renew their acquaintance. A good dinner closes the festivities of the first day of the new year, which is a signal for the commencement of gaieties.

Our new Consul (Mr. Spencer) has just sent out his cards of invitation to a grand ball on the 6th of January. Mr. Spencer intends to give two every month during the season. His daughter is sprightly and attractive; and having been educated at a French convent, she is French in manner, and still more so in the girlish, Parisian simplicity of her dress.

It is also said that Mr. Spencer will take an office in a more accessible and pleasant part of the city, to remove the United States Consulate from a shabby building in a third yard of the Rue de Caumartin.

The Jeufosse trial came to a close last week. The French papers all brought out the minutest details of the proceedings of the court, with the eloquent pleadings.

Countess de Jeufosse, her two sons, and the game-keeper of the forest attached to the Chateau de Jeufosse, were accused of wilfully murdering Mr. de Guillot—a man of loose and licentious moral habits—who was, with his wife, intimate at the Chateau some months previous. That intimacy suddenly broke off, and it became known to the neighbors, that after unsuccessful attempts to get up an *intrigue* with the governess, or rather companion of Miss de Jeufosse, daughter of the accused lady, the latter (Miss de Jeufosse) became the object of his ignoble addresses. After being persecuted for months, the young lady complained to her mother. Then it was that the mother determined to break off her intercourse with the late Monsieur de Guillot; but the latter, after having boasted in public places, and among the friends of the Jeufosse family, that his addresses to Miss de Jeufosse had met with success, was sorely piqued at this rupture, and continued to persecute the family in every possible way, determined, at all hazards, to sully the reputation of an innocent young girl of nineteen. The eldest son of the respectable widow challenged Guillot by writing, but the wife of the latter intercepted the letter; and notwithstanding the many threats of the Jeufosse family, he continued crossing their path in their walks and drives, and to annoy them by blowing a horn in the vicinity of the Chateau, declaring to his friends that that was the signal agreed upon for a rendezvous with Miss de Jeufosse. He even went so far as to scale the garden walls, to throw pebbles at the windows, and call Miss de Jeufosse by name; several times entered the Chateau to injure the furniture, put it in disorder, and smearing with clay the portrait of the late Monsieur de Jeufosse. He also deposited love-letters in the garden, addressed to the daughter.

Madame de Jeufosse at length became so exasperated at such conduct, that she and her sons announced to Guillot that they had given orders to have the person shot at who entered their premises at night. Madame de Jeufosse then told her game-keeper to watch faithfully, and to fire at the intruder, assuring him that she had a perfect right, according to the word of a magistrate, to fire at those who took the liberty to enter her premises at night without permission. The game-keeper, who had heard Guillot make use of the most gross and indecent language when speaking of his young mistress, and aware that he had attempted to enter the house to take her by surprise when her mother and brothers were absent, was also exasperated against the man who was thus determined to dishonor the children of his late and much-beloved master, at whose death-bed he had sworn to be the protector and friend of his widow and children, warned Guillot himself, (convinced that he was the nocturnal visiter,) and said, whilst shaking his gun at him, "It were better for you not to venture on my premises at night." Guillot replied, laughingly, "I am aware that orders have been given to shoot at the ghosts that visit your park at night."

He continued, however, to go, accompanied by a man-servant, saying that it was a precaution he took to have some one at hand to call upon, in case he should be wounded, to be removed from the grounds without delay. In June last, this unwelcome visiter came more and more frequently, when Madame de Jeufosse determined upon a decided step—exhorted her game keeper to be vigilant, and sat up herself to watch with him, without any other intention than that of frightening him. On the 12th of the month of June, the game-keeper fired the fatal shot that felled Guillot to the ground, where he expired in the arms of his servant.

Such is the *resume* of the trial, the details of which are much too long to be entered upon; and I have to add, in conclusion, that, to the satisfaction of all, Madame de Jeufosse, with her two sons and game-keeper, were acquitted, condemned only to defray the expenses of the trial.

"Mr. Wright, the new Minister of the United States at Berlin," says a letter from that city, "has caused some curiosity amongst the diplomatic body, from being a member of the temperance society, and rigorously conforming to its rules. At the different dinners to which he has invited his diplomatic colleagues, wines and spirits have been completely excluded. As a set-off, there are a number of different dishes prepared from maize, and which are specially recommended by the statutes of the society."

"THE NAPOLEON DYNASTY:" ITS MISSION AND ITS FUTURE.

Translated for the National Era, from the Courrier de Paris, December 27, 1857.

"The Napoleon Dynasty" is the personification of Democracy; the Dynasty of the Capets was the personification of Aristocracy; and the Imperial Dynasty of July was that of the bourgeoisie. What is Democracy? What is it aiming at? From the exact knowledge of the two first *terms*, will be extracted the third, unknown—the mission of the new Dynasty.

I.—What is Democracy?

There never was, perhaps, a word so often defined, commented upon, tortured, and yet there is perhaps none which leaves so vague an impression on the mind, as that does; it gives hope to the one, and causes a shudder to the other. Let us, in our turn, attempt that definition, but let us define the unknown by the known, the future by the past, and let us lead the mind to the knowledge of Democracy, step by step, as our country was led to its conquests.

Aristocracy, Bourgeoisie, Democracy—such are the three marked periods in the progressive development of a people.

The French nation has passed through them with more *mathematical* precision, perhaps, than any other nation.

Aristocracy is the domination of a few over all—in which the elder members of the national family alone take part in political life; they govern alone, and naturally assign to themselves the benefits of power; they fill all the offices, take all the honors, and pay no taxes; the remainder of the nation exists civilly, but not politically; it is under guardianship, considered minor, paying all the taxes, without the right to vote for or against. But the circle is enlarging; the Bourgeoisie is coming into possession of political rights; that is the epoch of the electors paying a tax of forty dollars. Aristocracy and Bourgeoisie, melted together, form the legal country; bourgeois gentlemen and gentlemen bourgeois fraternally divided among themselves the honors, the offices, and the benefits of the budget. The people, properly speaking, continue to pay the taxes, but are not yet permitted to vote.

The sphere is growing still larger; the Bourgeoisie was only the *avant garde* of the people; it opened the breaches, the people follow, and enter upon their political rights; that is the present epoch of universal suffrage.

The Aristocracy, the Bourgeoisie, and the people, have equal rights. No one is excluded, no one is favored; all pay an equal tax, and all are called upon to vote for it.

Democracy may be defined thus: the accession of all to political life.

II.—What does Democracy Aim At?

Aristocracy demanded of its kings privileges, benefits, certain rights, and a great influence in the affairs of State. The Bourgeoisie demanded of its kings the privileges of the electoral census, the benefit of the budget, a certain extension of liberty, and the direction of public affairs. Democracy, in its turn, will demand the same privileges; but in generalizing, the word privilege no longer has the same meaning; a privilege granted to all is no longer a privilege to any one in particular; the words equality and right take the place of the word privilege. Thus Democracy will demand, instead of privileges, equality before the law—that is to say, justice, equality of taxation, and an equitable distribution of social employments; instead of benefits to be taken from the budget, a wise economy, a good administration, the first and most general of all benefits; instead of certain personal liberties, limited and restricted, a broad basis of liberty common to all; finally, to sum up the whole, the right of control in national affairs, not only reserved to a few, but extended to all citizens, by a sincere suffrage, free and universal.

It is to be seen, that in proportion to the enlargement of the basis, the amount of liberties demanded is increased; the Bourgeoisie is a little more exacting than was Aristocracy. Democracy will be still more exacting than the Bourgeoisie, because, the more solid the basis is, the greater may be the amount of liberties. When a tree has thrown out all its roots, the winds are no longer dangerous, but on the contrary a benefit, since it no longer overthrows, and is much aided in its growth and the development of its verdure. Equality, justice, economy in the expences, a good administration, the right of control and liberty in the affairs of the country—such are the wishes, such are the wants, of Democracy. To whom ever may secure to the people the enjoyment of these benefits and rights, the authority will not be disputed.

III.—The Mission and Future of the Napoleon Dynasty.

The dynasty of the Capets refused nothing to the Aristocracy, whose power lasted as long as did that power. It led the aristocracy on the battle fields, and with it divided its glory and reverses, continued devoted to the very steps of the guillotine.

The Orleans dynasty was not less devoted to the principles it represented. To please the Bourgeoisie, it went down to the street Quincampoix, took a seat in the Convention, and brought upon itself the charge of regicide and fratricide, and refused nothing to the forty dollar electors. An excess of zeal caused its ruin; behind the electoral reforms it saw universal suffrage; that overflowing perspicacity hastened the downfall of the Bourgeoisie and the exile of the Kings.

The Napoleon dynasty will confer the same degree of devotion to Democracy, it will encourage it on the battle field of labor, guide its agricultural, industrial, and commercial crusades, for which it has received all the necessary authority, and in return must grant all possible liberty. On these conditions it should last as long as the principles from which it emanated.

Now, then, if Aristocracy is the starting point, if the Bourgeoisie is the point of transition, Democracy is the point of destination, the end, the aim attained.

The reign of Democracy closes the era of political revolutions; the only necessary reforms will be internal ones, and certain economical improvements; when all are at their posts, there will not be any assaulters; there will be nothing but fellow-citizens; if war is by force a transitory fact, peace can last forever.

The Napoleon dynasty will not be able to share the fears entertained by its predecessors, for it is supported by Democracy; and Democracy is more than a reality—it is a principle which survives all the faults by which deeds are compromised. Its horizon is not limited either by the place Louis XV, (that of the guillotine,) nor by Claremont; for her sacrifice preceded the definitive coronation. It had its sorrows and its martyr at St. Helena.

To reign by the authority of the people is the future of the new dynasty; to make liberty reign, is its mission.

From Dickens's Household Words.

THE PERILS OF CERTAIN ENGLISH PRISONERS, AND THEIR TREASURE IN WOMEN, CHILDREN, SILVER, & JEWELS.

BY CHARLES DICKENS.

CHAPTER I—Continued.

The Island of Silver-Store.

The chief person being Mr. Macey, I told him how the three men of the guard would be at the gate directly, if they were not already there, and how Sergeant Drooce and the other seven were gone to bring in the outlying part of the people of Silver-Store. I next urged him, for the love of all who were dear to him, to trust no Sambo, and, above all, if he could get any chance at Christian George King, not to lose it, but to put him out of the world.

"I will follow your advice to the letter, Davis," says he; "what next?"

My answer was—"I think, sir, I would recommend you next, to order down such heavy furniture and lumber as can be moved, and make a barricade within the gate."

"That's good again," says he; "will you see it done?"

"I'll willingly help to do it," says I, "unless or until my superior, Sergeant Drooce, gives me other orders."

He shook me by the hand, and having told off some of his companions to help me, bestirred himself to look to the arms and ammunition.

A proper, quick, brave, steady, ready gentleman!

One of their three little children was deaf and dumb. Miss Maryon had been from the first with all the children, soothing them, and dressing them, (poor little things! they had been brought out of their beds,) and making them believe that it was a game of play, so that some of them were even now laughing. I had been working hard with the others at the barricade, and had got up a pretty good breastwork within the gate. Drooce and the seven had come back, bringing in the people from the Signal Hill, and had worked along with us; but I had not so much as spoken a word to Drooce, nor had Drooce so much as spoken a word to me, for we were both too busy. The breastwork was now finished, and I found Miss Maryon at my side, with a child in her arms. Her dark hair was fastened round her head with a band. She had a quantity of it, and it looked even richer and more precious, put up hastily out of her way, than I had seen it look when it was carefully arranged. She was very pale, but extraordinarily quiet and still.

"Dear, good Davis," said she, "I have been waiting to speak one word to you."

I turned to her directly. If I had received a musket-ball in the heart, and she had stood there, I almost believe I should have turned to her before I dropped.

"This pretty little creature," said she, kissing the child in her arms, who was playing with her hair, and trying to pull it down, "cannot hear what we say—can hear nothing. I trust you so much, and have such great confidence in you, that I want you to make me a promise."

"What is it, Miss?"

"That if we are defeated, and you are absolutely sure of my being taken, you will kill me."

"I shall not be alive to do it, Miss. I shall have died in your defence before it comes to that. They must step across my body to lay a hand on you."

"But, if you are alive, you brave soldier;" (how she looked at me!) "and if you cannot save me from the Pirates living, you will save me dead. Tell me so."

Well—I told her I would do that, at the last if all else failed. She took my hand—my rough, coarse hand—and put it to her lips. She put it to the child's lips, and the child kissed it. I believe I had the strength of half a dozen men in me, from that moment, until the fight was over.

All this time, Mr. Commissioner Pordage had been wanting to make a proclamation to the Pirates, to lay down their arms and go away; and everybody had been hustling him about and tumbling over him, while he was calling for pen and ink to write it with. Mrs. Pordage, too, had some curious ideas about the British respectability of her night-cap, (which had as many frills to it, growing in layers one inside another, as if it was a white vegetable of the artichoke sort,) and she wouldn't take the night-cap off, and would be angry when it got crushed by the other ladies who were handing things about, and, in short, she gave as much trouble as her husband did. But, as we were now forming for the defence of the place, they were both poked out of the way with no ceremony. The children and ladies were got into the little trench which surrounded the silver-house, (we were afraid of leaving them in any of the light buildings, lest they should be set on fire,) and we made the best disposition we could. There was a pretty good store, in point of amount, of tolerable swords and cutlasses. Those were issued. There were also, perhaps a score or so of spare muskets. Those were brought out. To my astonishment, little Mrs. Fisher, that I had taken for a doll and a baby, was not only very active in that service, but volunteered to load the spare arms.

"For, I understand it well," says she, cheerfully, without a shake in her voice.

"I am a soldier's daughter and a sailor's sister, and I understand it too," says Miss Maryen, just in the same way.

Steady and busy behind where I stood, those two beautiful and delicate young women fell to handling the guns, hammering the flints, looking to the locks, and quietly directing others to pass up powder and bullets from hand to hand, as unflinching as the best of tried soldiers.

Sergeant Drooce had brought in word that the Pirates were very strong in numbers—over a hundred, was his estimate—and that they were not, even then, all landed; for he had seen them in a very good position on the farther side of the Signal Hill, evidently waiting for the rest of their men to come up. In the present pause, the first we had had since the alarm, he was telling this over again to Mr. Macey, when Mr. Macey suddenly cried out:

"The signal! Nobody has thought of the signal!"

We knew of no signal, so we could not have thought of it. "What signal may you mean, sir?" says Sergeant Drooce, looking sharp at him.

"There is a pile of wood upon the Signal Hill. If it could be lighted—which never has been done yet—it would be a signal of distress to the mainland."

Charker cries, directly: "Sergeant Drooce, dispatch me on that duty. Give me the two men who were on guard with me to-night, and I'll light the fire, if it can be done."

"And if it can't, Corporal——" Mr. Macey strikes in.

"Look at these ladies and children, sir!" says Charker. "I'd sooner *light myself*, than not try any chance to save them."

We gave him a hurrah!—it burst from us, come of it what might—and he got his two men, and was let out at the gate, and crept away. I had no sooner come back to my place, from being one of the party to handle the gate, than Miss Maryon said in a low voice behind me:

"Davis, will you look at this powder. This is not right?"

I turned my head. Christian George King again, and treachery again! Sea-water had been conveyed into the magazine, and every grain of powder was spoiled!

"Stay a moment," said Sergeant Drooce, when I had told him, without causing a movement in a muscle of his face; "look to your pouch, my lad. You, Tom Packer, look to your pouch, confound you; look to your pouches, all you Marines."

The same artful savage had got at them, somehow or another, and the cartridges were all unserviceable. "Hum!" says the Sergeant. "Look to your loading, men. You are right so far?"

Yes; we were right so far.

"Well, my lads, and gentlemen all," says the Sergeant, "this will be a hand-to-hand affair, and so much the better."

He treated himself to a pinch of snuff, and stood up, square-shouldered and broad-chested, in the light of the moon—which was now very bright—as cool as if he was waiting for a play to begin. He stood quiet, and we all stood quiet, for a matter of something like half an hour. I took notice, from such whispered talk as there was, how little we, that the silver did not belong to, thought about it, and how much the people that it did belong to thought about it. At the end of the half hour, it was reported from the gate that Charker and the two were falling back on us, pursued by about a dozen.

"Sally! Gate-party, under Gill Davis," says the Sergeant, "and bring 'em in! Like men, now!"

We were not long about it, and we brought them in. "Don't take me," says Charker, holding me round the neck, and stumbling down at my feet when the gate was fast; "don't take me near the ladies or the children, Gill. They had better not see Death, till it can't be helped. They'll see it soon enough."

"Harry!" I answered, holding up his head. "Comrade!"

He was cut to pieces. The signal had been secured by the first Pirate party that landed; his hair was all singed off, and his face was blackened with the running pitch from a torch.

He made no complaint of pain, or of anything. "Good bye, old chap," was all he said, with a smile. "I've got my death. And Death a'nt life. Is it, Gill?"

Having helped to lay his poor body on one side, I went back to my post. Sergeant Drooce looked at me, with his eyebrows a little lifted. I nodded. "Close up here, men, and gentlemen all!" said the Sergeant. "A place too many, in the line."

The Pirates were so close upon us at this time, that the foremost of them were already before the gate. More and more came up with a great noise, and shouting loudly. When we believed from the sound that they were all there, we gave three English cheers. The poor little children joined, and were so fully convinced of our being at play, that they enjoyed the noise, and were heard clapping their hands in the silence that followed.

Our disposition was this, beginning with the rear. Mrs. Venning, holding her daughter's child in her arms, sat on the steps of the little square trench surrounding the silver-house, encouraging and directing those women and children, as she might have done in the happiest and easiest time of her life. Then there was an armed line, under Mr. Macey, across the width of the enclosure, facing that way, and having their backs towards the gate, in order that they might watch the walls, and prevent our being taken by surprise. Then there was a space of eight or ten feet deep, in which the spare arms were, and in which Miss Maryon and Mrs. Fisher their hands and dresses blackened with the spoilt gunpowder, worked on their knees, tying such things as knives, old bayonets, and spear-heads, to the muzzles of the useless muskets. Then there was a second armed line, under Sergeant Drooce, also across the width of the enclosure, but facing to the gate. Then came the breastwork we had made, with a zig-zag way through it for me and my little party to hold good in retreating, as long as we could, when we were driven from the gate. We all knew that it was impossible to hold the place long, and that our only hope was in the timely discovery of the plot by the boats, and in their coming back.

I and my men were now thrown forward to the gate. From a spy-hole, I could see the whole crowd of Pirates. There were Malays among them, Dutch, Maltese, Greeks, Sambos, Negroes, and Convict Englishmen from the West India Islands; among the last, him with the one eye and the patch across the nose. There were some Portuguese, too, and a few Spaniards. The Captain was a Portuguese—a little man with very large ear-rings under a very broad hat, and a great bright shawl twisted about his shoulders. They were all strongly armed, but like a boarding party, with pikes, swords, cutlasses, and axes. I noticed a good many pistols, but not a gun of any kind among them. This gave me to understand that they had considered that a continued roll of musketry might perhaps have been heard on the mainland; also, that for the reason that fire would be seen from the mainland, they would not set the Fort in flames and roast us alive; which was one of their favorite ways of carrying on. I looked about for Christian George King, and if I had seen him, I am much mistaken if he would not have received my one round of ball-cartridge in his head. But, no Christian George King was visible.

A sort of a wild Portuguese demon, who seemed either fierce-mad or fierce-drunk—but they all seemed one or the other—came forward with the black flag, and gave it a wave or two. After that, the Portuguese Captain called out in shrill English. "I say you! English fools! Open the gate! Surrender!"

As we kept close and quiet, he said something to his men which I didn't understand; and when he had said it, the one-eyed English rascal with the patch (who had stepped out when he began) said it again in English. It was only this: "Boys of the black flag, this is to be quickly done. Take all the prisoners you can. If they don't yield, kill the children to make them. Forward!" Then they all came on at the gate, and in another half minute were smashing and splitting it in.

We struck at them through the gaps and shivers, and we dropped many of them, too; but their very weight would have carried such a gate, if they had been unarmed. I soon found Sergeant Drooce at my side, forming us six remaining marines in line—Tom Packer next to me—and ordering us to fall back three paces, and, as they broke in, to give them our one little volley at short distance. "Then," says he, "receive them behind your breastwork on the bayonet, and at least let every man of you pin one of the cursed cockchafers through the body."

We checked them by our fire, slight as it was, and we checked them at the breastwork. However, they broke over it like swarms of devils—they were, really and truly, more devils than men—and then it was hand to hand, indeed.

We clubbed our muskets, and laid about us; even then, those two ladies—always behind me—were steady and ready with the arms. I had a lot of Maltese and Malays upon me, and, but for a broad-sword that Miss Maryon's own hand put in mine, should have got my end from them. But was that all? No. I saw a heap of banded dark hair and a white dress come thrice between me and them, under my own raised right arm, which each time might have destroyed the wearer of the white dress; and each time one of the lot went down, struck dead.

Drooce was armed with a broad-sword, too, and did such things with it, that there was a cry, in half a dozen languages, of "Kill that Sergeant!" as I knew, by the cry being raised in English, and taken up in other tongues. I had received a severe cut across the left arm a few moments before, and should have known nothing of it, except supposing that somebody had struck me a smart blow, if I had not felt weak, and seen myself covered with spouting blood, and, at the same instant of time, seen Miss Maryon tearing her dress, and binding it with Mrs. Fisher's help round the wound. They called to Tom Packer, who was scouring by, to stop and guard me for one minute, while I was bound, or I should bleed to death in trying to defend myself. Tom stopped directly, with a good sabre in his hand.

In that same moment—all things seem to happen in that same moment, at such a time—half a dozen had rushed howling at Sergeant Drooce. The Sergeant, stepping back against the wall, stopped one howl forever with such a terrible blow, and waited for the rest to come on, with such a wonderfully unmoved face, that they stopped and looked at him.

"See him now!" cried Tom Packer. "Now, when I could cut him out! Gill, did I tell you to mark my words?"

I implored Tom Packer, in the Lord's name, as well as I could in my faintness, to go to the Sergeant's aid.

"I hate and detest him," says Tom, moodily wavering. "Still, he is a brave man." Then he calls out—"Sergeant Drooce, Sergeant Drooce! Tell me you have driven me too hard, and are sorry for it."

The Sergeant, without turning his eyes from his assailants, which would have been instant death to him, answers—

"No, I won't."

"Sergeant Drooce!" cried Tom, in a kind of an agony, "I have passed my word that I would never save you from death, if I could, but would leave you to die. Tell me you have driven me too hard, and are sorry for it, and that shall go for nothing."

One of the group laid the Sergeant's bald bare head open. The Sergeant laid him dead.

"I tell you," says the Sergeant, breathing a little short, and waiting for the next attack, "No, I won't. If you are not man enough to strike for a fellow-soldier because he wants help, and because of nothing else, I'll go into the other world, and look for a better man."

Tom swept upon them, and cut him out. Tom and he fought their way through another knot of them, and sent them flying, and came over to where I was beginning again to feel, with inexpressible joy, that I had got a sword in my hand.

They had hardly come to us, when I heard, above all the other noises, a tremendous cry of women's voices. I also saw Miss Maryon, with quite a new face, suddenly clap her two hands over Mrs. Fisher's eyes. I looked towards the silver-house, and saw Mrs. Venning—standing upright on the top of the trench, with her gray hair and her dark eyes—hide her daughter's child behind her, among the folds of her dress, strike a pirate with her other hand, and fall, shot by his pistol.

The cry arose again, and there was a terrible and confusing rush of the women into the midst of the struggle. In another moment, something came tumbling down upon me, that I thought was the wall. It was a heap of Sambos, who had come over the wall; and of four men, who clung to my legs like serpents, one who clung to my right leg was Christian George King.

"Yup, So-Jeer!" says he, "Christian George King sar berry glad So Jeer a prisoner. Christian George King been waiting for So-Jeer sech long time. Yup, yup!"

What could I do, with five-and-twenty of them on me, but be tied hand and foot? So, I was tied hand and foot. It was all over now—boats not come back—all lost! When I was fast bound, and was put up against the wall, the one-eyed English convict came up with the Portuguese captain, to have a look at me.

"See!" says he, "here's the determined man! If you had slept sounder, last night, you'd have slept your soundest last night, my determined man."

The Portuguese captain laughed in a cool way, and with the flat of his cutlass hit me crosswise, as if I was the bough of a tree that he played with—first on the face, and then across the chest and the wounded arm. I looked him steadily in the face, without tumbling while he looked at me, I am happy to say; but when they went away, I fell, and lay there.

The sun was up, when I was roused, and told to come down to the beach, and be embarked. I was full of aches and pains, and could not at first remember; but I remembered quite soon enough. The killed were lying about all over the place, and the pirates were burying their dead, and taking away their wounded on hastily-made litters, to the back of the Island. As for us prisoners, some of their boats had come round to the usual harbor, to carry us off. We looked a wretched few, I thought, when I got down there; still, it was another sign that we had fought well, and made the enemy suffer.

The Portuguese captain had all the women already embarked in the boat he himself commanded, which was just putting off when I got down. Miss Maryon sat on one side of him, and gave me a moment's look, as full of quiet courage, and pity, and confidence, as if it had been an hour long. On the other side of him was poor little Mrs. Fisher, weeping for her child and her mother. I was shoved into the same boat with Drooce and Packer, and the remainder of our party of marines, of whom we had lost two privates, besides Charker, my poor, brave comrade. We all made a melancholy passage, under the hot sun, over to the mainland. There, we landed in a solitary place, and were mustered on the sea sand. Mr. and Mrs. Macey and their children were amongst us, Mr. and Mrs. Pordage. Mr. Kitten, Mrs. Fisher, and Mrs. Belltott. We mustered only fourteen men, fifteen women, and seven children. Those were all that remained of the English who had lain down to sleep last night, unsuspecting and happy, on the Island of Silver-Store.

CHAPTER II.

The Prison in the Woods.

There we all stood, huddled up on the beach under the burning sun, with the Pirates closing us in on every side, as forlorn a company of helpless men, women, and children, as ever was gathered together out of any one nation in the world. I kept my thoughts to myself; but I did not in my heart believe that any one of our lives was worth five minutes' purchase.

The man on whose will our safety or our destruction depended was the Pirate Captain. All our eyes, by a kind of instinct, fixed themselves on him—excepting in the case of the poor children, who, too frightened to cry, stood hiding their faces against their mothers' gowns. The ruler who held all the ruffians about us in subjection was, judging by appearances, the very last man I should have picked out as likely to fill a place of power among any body of men, good or bad, under heaven. By nation, he was a Portuguese; and, by name, he was generally spoken of among his men as the Don. He was a little, active, weazen, monkey-faced man, dressed in the brightest colors and the finest-made clothes I ever saw. His three-cornered hat was smartly cocked on one side; his coat-skirts were stiffened, and stuck out like the skirts of the dandies in the Mall in London. When the dance was given at the Island, I saw no such lace on any lady's dress there, as I saw on his cravat and ruffles. Round his neck he wore a thick gold chain, with a diamond cross hanging from it. His lean, wiry, brown fingers were covered with rings. Over his shoulders, and falling down in front to below his waist, he wore a sort of sling of broad scarlet cloth, embroidered with beads and little feathers, and holding at the lower part four loaded pistols, two on a side, lying ready to either hand. His face was mere skin and bone, and one of his wrinkled cheeks had a blue scar running all across it, which drew up that part of his face, and showed his white shining teeth on that side of his mouth. An uglier, meaner, weaker man-monkey, to look at, I never saw; and yet there was not one of his crew, from his mate to his cabin-boy, who did not obey him as if he had been the greatest monarch in the world. As for the Sambos, including especially that evil-minded scoundrel, Christian George King, they never went near him without seeming to want to roll before him on the ground, for the sake of winning the honor of having one of his little dancing-master's feet set on their black bullock bodies.

There this fellow stood, while we were looking at him, with his hands in his pockets, smoking a cigar. His mate (the one-eyed Englishman) stood by him—a big, hulking fellow he was, who might have eaten the Captain up, pistols and all, and looked about for more afterwards. The Don himself seemed, to an ignorant man like me, to have a gift of speaking in any tongue he liked. I can testify that his English rattled out of his crooked lips as fast as if it was natural to them; making allowance, of course, for his foreign way of clipping his words."

"Now, Captain," says the big mate, running his eye over us as if we were a herd of cattle, "here they are. What's to be done with them?"

"Are they all off the Island?" says the Pirate Captain.

"All of them that are alive," says the mate.

"Good, and very good," says the Captain. "Now, Giant Georgy, some paper, a pen, and a horn of ink."

Those things were brought immediately.

"Something to write on," says the Pirate Captain. "What? Ha! why not a broad nigger's back?"

He pointed with the end of his cigar to one of the Sambos. The man was pulled forward, and set down on his knees, with his shoulders rounded. The Pirate Captain laid the paper on them, and took a dip of ink; then suddenly turned up his snub nose with a look of disgust, and, removing the paper again, took from his pocket a fine cambric handkerchief edged with lace, smelt at the scent on it, and afterwards laid it delicately over the Sambo's shoulders.

"A table of black man's back, with the sun on it, close under my nose—ah, Giant Georgy, pah! pah!" says the Pirate Captain, putting the paper on the handkerchief, with another grimace expressive of great disgust.

He began to write immediately, waiting from time to time to consider a little with himself; and once stopping, apparently, to count our numbers as we stood before him. To think of that villain knowing how to write, and of my not being able to make so much as a decent pot-hook, if it had been to save my life!

When he had done, he signed to one of his men to take the scented handkerchief off the Sambo's back, and told the sailor he might keep it for his trouble. Then, holding the written paper open in his hand, he came forward a step or two closer to us, and said, with a grin and a mock bow, which made my fingers itch with wanting to be at him:

"I have the honor of addressing myself to the ladies. According to my reckoning, they are fifteen ladies in all. Does any one of them belong to the chief officer of the sloop?"

There was a momentary silence.

"You don't answer me," says the Pirate Captain. "Now, I mean to be answered. Look here, woman." He drew one of his four pistols out of his gay scarlet sling, and walked up to Tom Packer, who happened to be standing nearest to him of the men prisoners. "This a pistol, and it is loaded. I put the barrel to the head of this man with my right hand, and I take out my watch with my left. I wait five minutes for an answer. If I don't get it in five minutes, I blow this man's brains out. I wait five minutes again, and if I don't get an answer, I blow the next man's brains out. And so I go on, if you are obstinate, and your nerves are strong, till not one of your soldiers or your sailors is left. On my word of honor, as a gentleman-buccanier, I promise you that. Ask my men if I ever broke my word."

He rested the barrel of the pistol against Tom Packer's head, and looked at his watch, as perfectly composed, in his cat-like cruelty, as if he was waiting for the boiling of an egg.

"If you think it best not to answer him, ladies," says Tom, "never mind me. It's my trade to risk my life; and I shall lose it in a good cause."

"A brave man," said the Pirate Captain, lightly. "Well, ladies, are you going to sacrifice the brave man?"

"We are going to save him," said Miss Maryon, "as he has striven to save us. *I* belong to the captain of the sloop. I am his sister." She stopped, and whispered anxiously to Mrs. Macey, who was standing with her, "Don't acknowledge yourself, as I have done—you have children."

"Good!" said the Pirate Captain. "The answer is given, and the brains may stop in the brave man's head." He put his watch and pistol back, and took two or three quick puffs at his cigar to keep it alight—then handed the paper he had written on, and his penful of ink, to Miss Maryon.

"Read that over," he said, "and sign it for yourself, and the women and children with you."

Saying those words, he turned round briskly on his heel, and began talking, in a whisper, to Giant Georgy, the big English mate. What he was talking about, of course, I could not hear; but I noticed that he motioned several times straight into the interior of the country.

"Davis," said Miss Maryon, "look at this."

She crossed before her sister as she spoke, and held the paper, which the Pirate Captain had given to her, under my eyes—my bound arms not allowing me to take it myself. Never to my dying day shall I forget the shame I felt, when I was obliged to acknowledge to Miss Maryon that I could not read a word of it!

"There are better men than me, ma'am," I said, with a sinking heart, "who can read it, and advise you for the best."

"None better," she answered, quietly. "None, whose advice I would so willingly take. I have seen enough to feel sure of that. Listen, Davis, while I read."

[TO BE CONTINUED.]

THIRTY-FIFTH CONGRESS, FIRST SESSION.

Tuesday, January 19, 1858.

SENATE.

Reports from Committees.—Mr. Clay, from the Committee on Commerce, to which was referred the bill repealing all laws or parts of laws allowing bounties to vessels employed in the bank or other cod fisheries, reported back the same, with an amendment, making the act take effect after the last day of 1859.

Mr. Hale gave notice, that when the bill came up, he had an amendment to offer, which he would like to have printed with the bill. He might as well state the amendment he intended to offer. It was in effect to abolish the Naval School at Annapolis and the Military Academy at West Point. The fisheries were the great school for training seamen, and if the bounty allowed for that purpose was to be repealed, they might as well repeal the law in relation to the training of officers.

After some further remarks, the bill was made the special order for this day week, at one o'clock.

Pacific Railroad.—Mr. Gwin, from the select committee to which was referred the bill to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, munitions of war, army and navy supplies, and all other Government service, by railroad, from the Missouri river to San Francisco, reported it back to the Senate; and it was considered and made the special order for the first Monday in February, at one o'clock.

Death of Senator Rusk.—Mr. Houston announced, in feeling terms, the death of his late respected colleague, the Hon. Thomas J. Rusk, and offered the following resolutions:

Resolved, unanimously, That the members of the Senate, from a sincere desire of showing every mark of respect due to the memory of the Hon. Thomas J. Rusk, deceased, late a Senator from the State of Texas, will go into mourning by wearing crape on the left arm for thirty days.

Resolved, unanimously, That, as an additional mark of respect, the Senate do now adjourn.

These were supported in eloquent tributes by Mr. Collamer, Mr. Gwin, and Mr. Seward; and the Senate adjourned.

HOUSE.

The Speaker appointed the following special committee on the resolution adopted yesterday to investigate the accounts and official conduct of the late Doorkeeper of the House: Messrs. Hughes of Indiana, Jenkins of Virginia, Purviance of Pennsylvania, Bryan of Texas, and Thompson of New York.

Apportionment of Patronage.—The bill introduced by Mr. Smith, of Illinois, "to apportion the clerks and messengers in the several Departments of the United States Government in the city of Washington among the several States and Territories and the District of Columbia," was referred to a select committee of seven.

The following resolutions were adopted:

By Mr. Kellogg, of Illinois—

Resolved, That the Committee on the Public Lands be instructed to inquire into the propriety of preventing by law the entry or purchase at public sale of more than 320 acres of the public lands by any one person within any single period of five years; and that no patent issue for such lands, until some portion thereof, to be determined by law, shall be in actual cultivation by the person purchasing or entering the same, or his heirs.

By Mr. Morris, of Illinois—

Resolved, That the Select Committee on Printing be instructed to examine into and report to this House whether, in their opinion, any change is required in the existing laws providing for and governing the public printing connected with any of the Executive departments or bureaus.

By Mr. Greenwood, of Arkansas, a resolution requesting the Committee on the Judiciary to inquire into the expediency of providing by law for the punishment of negro-stealing in the Indian country.

By Mr. Waldron, of Michigan, a resolution directing the Secretary of War to furnish to the House a statement of the number of United States troops now stationed in Kansas; also, the number of troops there on the first day of each month, since January 1st, 1855.

The death of Senator Rusk was announced, and the House adjourned.

Wednesday, January 20, 1858.

SENATE.

Appointment of Cadets.—Mr. Iverson gave notice that he would introduce a bill to change and regulate the mode of appointing cadets to the Military Academy at West Point, and to modify the law in relation to said academy.

Special Order.—The Senate then resumed the consideration of the special order, being the motion to refer so much of the President's message as relates to the Territory of Kansas to the Committee on Territories.

Mr. Hale rose and concluded his remarks, commenced on a prior day; when

Mr. Durkee moved that the further consideration of the subject be postponed until Monday next; which was agreed to.

The Senate then took up the joint resolution directing the presentation of a medal to Commodore Hiram Paulding; but, on motion of Mr. Doolittle, its further consideration was postponed until to-morrow.

Executive Session.—On motion of Mr. Iverson, the Senate proceeded to the consideration of Executive business, and remained therein until near 5 o'clock; when the doors were opened, and the Senate adjourned.

HOUSE.

The Speaker announced that the business first in order was the call of the States and Territories for bills and resolutions, under the resolution adopted on Monday.

Numerous bills were introduced, of a local character, and several resolutions adopted.

Army in Utah.—The Speaker laid before the House a communication from the Secretary of War, transmitting an estimate of funds required for subsistence of troops for the Utah expedition; which was referred to the Committee of Ways and Means, and ordered to be printed.

The estimate is as follows:

OFFICE COM. GEN'L OF SUBSISTENCE,
Washington, January 13, 1858.

Estimate of funds required for subsistence of Utah expedition, as directed by circular, dated headquarters of the army, January 11, 1858:

Aggregate force, as per circular	5,606
Women to companies	200
Servants	390
Employees	1,894
	8,000

One year's supply for 8,000—366 days—2,920,000 rations, eight months' supply for depot—245 days—1,960,000 rations; total number of rations, 4,880,000, at 25 cents, $1,220,000.

NOTE.—This estimate is necessary to purchase in advance for twenty months' subsistence for the troops comprising the army for Utah, that quantity being required to go forward with the troops. It is not an additional estimate, as the stores are to supply that portion of the army during the fiscal year ending June 30th, 1859, and for part of the fiscal year ending June 30th, 1860.

GEORGE GIBSON, *C. G. S.*

The Pacific Railroad.—On motion of Mr. J. G. Jones, of Pennsylvania, the House went into Committee of the Whole, (Mr. Bocock, of Virginia, in the chair,) and resumed the consideration of the resolutions referring the President's annual message to committees.

The question being on the amendment of Mr. Phelps, of Missouri, to the twelfth resolution, referring so much as relates to the Pacific railroad to a select committee of thirteen members—

Mr. Maynard, of Tennessee, moved to amend the amendment by adding—

"And that the committee be required to designate and report the best practicable route for the construction of said road."

Mr. Billinghurst, of Wisconsin, opposed the amendment, on the ground that the best route had already been discovered, being the "northern route," from the head of Lake Superior to Puget Sound.

Mr. Maynard's amendment was adopted.

Mr. Washburne, of Illinois, called attention to the proceedings of the 19th December, when his Democratic colleagues and other gentlemen, now so eager for a special committee, voted to lay a similar proposition on the table.

Mr. Bennett, of New York, moved to amend by referring the subject to a select committee representing the various sections of the Union.

Mr. B. said he did not believe the southern route was practicable. The commercial interest of New York and New England involved was much greater than that of other sections.

Mr. Letcher, of Virginia, wanted the matter referred to the Committee on Roads and Canals.

He was opposed to any railroads at all, Presidential or otherwise, or any other scheme involving the Government in internal improvements upon a magnificent scale. There was no warrant for it in the Constitution. If it was to be a military road only, why was it constitutional to build it through the Territories and not through the States?

Mr. Bennett's amendment was lost.

Mr. Harris, of Illinois, said he voted against the proposition for a select committee on the 19th ult., because he distrusted the gentleman from New York, who introduced the resolution by parliamentary usage, would have been chairman of the committee.

Mr. Washburne, of Illinois, said the votes to carry this measure must come mainly from the Republican side, but he was sincerely in favor of the road, let the credit of it go to whatever party.

Mr. Millson, of Virginia, offered an amendment instructing the committee to report in what part of the Constitution authority has been granted for the construction of such a road by the Federal Government.

The amendment was lost.

Mr. Seward, of Georgia, thought the matter should go, the Committee on Revisal and Unfinished Business. It had been before Congress for years, and, owing to the differences among its friends, needed revision. Besides, he believed it would be among the unfinished business at the close of the session.

Mr. Sherman, of Ohio, moved to amend by substituting for "route," the word "routes." Lost—70 to 74.

Mr. Leiter, of Ohio, said if the construction of the Constitution maintained by the Democratic party during the last quarter of a century was to prevail, there was an end of the Pacific railroad; but the President had abandoned that construction. He claimed to be a Democrat, though not of the stripe of the Democrats on the other side of the House, and was in favor of a strict construction of the Constitution. He believed the authority for this mighty project was clearly implied.

Mr. Davis, of Maryland, referred to various precedents for the constitutional authority to carry on a work of this kind, since the begining of the national road by President Jefferson.

Mr. Washburn, of Maine, moved to amend by simply referring the subject to a select committee of fifteen, with power to report by bill or otherwise. His object was to bring back the resolution as nearly as possible to the original proposition of the gentleman from Missouri, [Mr. Phelps.] The limiting of the committee to reporting a single route might defeat the measure altogether, and that such was the opinion of its opponents might be seen from their votes. He wanted the committee to have power to report as many routes as they saw fit, and from their reports the House could doubtless decide upon the best one.

Mr. Washburne's amendment was adopted—ayes 94, noes not counted.

The resolution as amended was then agreed to. The Committee then rose and reported the resolutions to the House.

A division being called for, a vote was taken on the first eleven resolutions, and they were adopted.

The yeas and nays were taken on the 12th resolution, relating to a Pacific railroad, and it was adopted by the following vote:

Yeas—Messrs. Abbott, Adrain, Anderson, Andrews, Avery, Barksdale, Billinghurst, Bingham, Bishop, Blair, Bliss, Bowie, Brayton, Bryan, Buffinton, Burlingame, Burns, Burroughs, Campbell, Case, Chaffee, Ezra Clark, John B. Clark, Clawson, Clay, Clark B. Cochrane, John Cochrane, Cockerill, Colfax, Comins, Corning, Covode, Cox, Cragin, James Craig, Curtis, Damrell, Davis of Maryland, Davis of Indiana, Davis of Massachusetts, Davis of Iowa, Dawes, Dean, Dewart, Dick, Dodd, Durfee, Elliott, English, Farnsworth, Foster, Giddings, Gilman, Granger, Greenwood, Gregg, Groesbeck, Lawrence W. Hall, Robert B. Hall, Harlan, Thomas L. Harris, Hatch, Horton, Howard, Huyler, Kellogg, Kelsey, Kilgore, Knapp, Landy, Leach, Leidy, Lovejoy, Maclay, Humphrey Marshall, Samuel S. Marshall, Maynard, Miller, Motgomery, Morgan, Morrill, Edward Joy Morris, Freeman H. Morse, Oliver A. Morse, Mott, Murray, Niblack, Nichols, Olin, Palmer, Parker, Pendleton, Pettit, Phelps, Phillips, Pike, Potter, Pottle, Purviance, Ready, Reagan, Ricaud, Robbins, Roberts, Royce, Russell, Sandidge, Scott, Searing, Seward, Aaron Shaw, John Sherman, Judson W. Sherman, Robert Smith, Spinner, Stanton, William Stewart, Tappan, George Taylor, Miles Taylor, Thayer, Thompson, Tompkins, Underwood, Wade, Waldron, Walton, Ward, Warren, C. C. Washburne, Elihu B. Washburne, Israel Washburn, Watkins, Wilson, Wood, Woodson, and Wortendyke—137.

Nays—Messrs. Bennett, Bocock, Boyce, Branch, Burnett, Caskie, Chapman, Horace F. Clark, Clingman, Cobb, Burton Craige, Crawford, Curry, Davidson, Dowdell, Edmundson, Faulkner, Florence, Foley, Garnett, Gartrell, Hawkins, Hickman, Hill, Hoard, Hopkins, Houston, Jackson, Jenkins, George W. Jones, J. Glancy Jones, Owen Jones, Keitt, Kelly, Jacob Kunkel, Leiter, Letcher, McQueen, Mason, Miles, Millson, Moore, Peyton, Powell, Quitman, Reilly, Ruffin, Scales, Henry M. Shaw, Shorter, Singleton, William Smith, Stallworth, Stevenson, James A. Stewart, Trippe, Walbridge,, Whiteley, Winslow, and John V. Wright—60.

The resolutions were finally adopted in the form submitted in Committee of the Whole by Mr. J. G. Jones, of Pennsylvania, with the exception of the 3d and 12th, which were adopted afterwards, as already stated.

Thursday, January 21, 1858.

SENATE.

Mr. Davis, from the Committee on Military Affairs, reported a bill to increase the military establishment of the United States; which was made the special order of the day for Monday next, at half past twelve o'clock.

Mr. Bayard, from the Committee on the Judiciary, to which was referred the protest against the election of the Hon. Graham N. Fitch and the Hon. Jesse D. Bright, as Senators in Congress from the State of Indiana, reported a resolution authorizing the sitting members and the protestants to take testimony, &c.

Mr. Johnson, of Tennessee, from the Committee on the Public Lands, to which was referred the bill to grant any person who is the head of a family and a citizen of the United States a homestead of one hundred and sixty acres of land out of the public domain, upon condition of occupancy and cultivation of the same for the period therein specified, reported it back without amendment, and moved that it be made the special order of the day for Monday, the 8th February next.

Mr. Kirkpatrick submitted the following resolution, which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be and he is hereby directed to pay to Cornelius Wendell, out of the contingent fund of the Senate, the sum of fifteen cents per one hundred pages for twenty thousand copies of the opinions of the Judges of the Supreme Court of the United States in the case of Dred Scott *vs.* John F. A. Sandford.

The subject of the presentation of a medal to Com. Paulding being taken up, Mr. Doolittle said:

Of General Walker, as a military adventurer, he should have but little to say. We first hear of him as a military adventurer in his expedition to Sonora, where, with a handful of misguided followers, he was completely repulsed and defeated. Of his second military expedition from the United States, against a Republic with which we are at peace, the history is but too well known to the country. He entered into Nicaragua, where for a time he was more successful. For a time he held, or seemed to hold, the power of the Government there; but, by the same means by which he acquired it—the means of the sword—he lost it again. At Rivas he was rescued from inevitable destruction by the officers of the United States Government. For proof of this statement, Mr. D. proceeded to quote from the report of the Secretary of the Navy. Whatever power General Walker had in Nicaragua, was ended upon his surrender at Rivas, whether it was *de jure* or *de facto.*

Mr. D. read several extracts of letters from Senors Yrisarri and Molina to the Secretary of State, showing that they felt grateful to this Government for the act of Com. Paulding in arresting Walker. He also argued at some length the question as to whether that act was justifiable or not—quoting Puffendorf and Vattel to sustain the position that there are cases when it is the duty of an officer to exceed the letter of his instructions, for the purpose of more fully carrying out their spirit. If Com. Paulding had quietly looked on, and made no attempt to interfere with the lawless proceedings of General Walker, it might have been justly inferred that this Government was in collusion with him, and not acting in good faith towards Nicaragua. But he repudiated any such idea. He thought that all the power which the Government possessed in the premises was conferred upon Com. Paulding in good faith; and it would have been a crime for that officer to have neglected, upon a mere technical objection, to carry out the clearly-expressed wishes of his Government.

Mr. D. also drew a parallel between the conduct of Commodore Paulding in this case and that of General Jackson under the administration of Mr. Monroe. In that case, the Administration not only refused to punish General Jackson, but also to censure him; and Mr. D. remarked that the only regret he had to express in the present case was, that, instead of sending in a message half of censure and half of apology, the present Administration had not fully and frankly avowed and justified the act of its officer. When he had concluded his remarks,

Mr. Brown moved to amend the joint resolution by striking out all after the enacting clause, and inserting, "That Congress has heard with surprise of the arrest of William Walker and about one hundred and fifty other persons at Punta Arenas, in Nicaragua, by Hiram Paulding, commanding the United States naval squadron, on the 8th day of December, 1857; and seeing that said act was in violation of the territorial sovereignty of a friendly Power, and not sanctioned by any existing law, Congress disavows it; and being officially notified that said Paulding acted without instructions from the President or the Secretary of the Navy, Congress expresses its condemnation of his conduct in this regard."

Mr. B. remarked that he had no speech to make. What he had to say might as well be said in five or ten minutes, as in so many hours. It would be noticed that in his amendment he spoke of General Walker without the use of any title, and of the persons with him as "persons," without assigning them any nationality whatever. Then he asserted what was simply a truism, that Congress was surprised on receiving the intelligence that this arrest had been made. Was there any Senator who was not surprised at it? The amendment goes on to say that this act was in violation of the territorial sovereignty of a friendly Power.

The territory certainly did not belong to the United States; and, as we are not at war with Nicaragua, or any of the Central American States, it was a violation of territorial sovereignty, because it was unquestionable that foreign territory was invaded by Commodore Paulding. The next proposition was, that the act was not sanctioned by any existing law.

Mr. B. went on to ridicule the assertion that Commodore Paulding and his men behaved with great gallantry, in arresting Gen. Walker and a handfull of men who made not the slightest resistance. He did not know but that it would next be proposed to give medals to our army at Salt Lake, if, after all the Mormons have run away, they make a desperate charge, and capture the—women! [Laughter]

Mr. Pugh argued the question at some length, contending that the neutrality laws did net authorize or excuse the act of Commodore Paulding.

Mr. Pearce obtained the floor; and after the consideration of Executive business,

The Senate adjourned until Monday next.

HOUSE.

Mr. Daniel W. Gooch, Representative elect from the seventh district of the State of Massachusetts, in place of Mr. Banks, resigned, was duly qualified, and took his seat on the floor of the House.

Mr. Phillips, of Pennsylvania, from the Committee of Elections, reported a bill for the relief of Charles J. Ingersoll; which was read a first and second time, and committed.

Mr. J. G. Jones, of Pennsylvania, from the Committee of Ways and Means, reported bills making appropriations for fortifications; also, for the naval service; also, for sundry civil expenses of the Government; also, for the legislative, executive, and judicial expenses of Government for the year ending the 30th of June, 1859; which were severally read twice, and committed.

Mr. Phelps, of Missouri, from the same committee, reported a bill to appropriate money to supply the deficiency in the appropriations for paper, printing, binding, and engraving, ordered by the Senate and House of Representatives of the Thirty-third and Thirty-fourth Congresses; which was read twice, and committed.

[Mr. Phelps stated that the committee had found a deficiency of $790,000, a large part of which was now due, for work ordered by the two last Congresses.]

Numerous bills of local interest were reported, and the House adjourned.

Friday, January 22, 1858.

HOUSE.

The Private Calendar.—On motion of Mr. Stanton, of Ohio, the House went into Committee of the Whole on the private calendar. (Mr. Branch, of North Carolina, in the chair.)

This being "objection day," several adverse reports from the Court of Claims were objected to; after which, Mr. Sherman, of Ohio, moved that the Committee rise; which was carried—72 to 52.

The Pension Bill.—The House went into Committee of the Whole, (Mr. Branch, of North Carolina, in the chair,) and proceeded to the consideration of the bill making appropriations for the payment of the invalid and other pensions of the United States for the year ending June 30th, 1859.

The bill having been read—

Mr. Billinghurst, of Wisconsin, obtained the floor, and made a speech on the subject of the Pacific railroad, in which he opposed the selection of the Southern route; said he was in favor of a bill providing for three routes, from which the wisdom of capitalists could select the best; and presented statistics showing the comparative advantages of the several routes proposed.

Mr. Gartrell, of Alabama, obtained the floor, when the Committee rose.

The Speaker announced the appointment of Mr. Purviance, of Pennsylvania, on the select committee in relation to the disbursements of Lawrence, Stone, & Co., of Boston, in place of Mr. Kunkel, of Pennsylvania, excused. Also, on the select committee to investigate the accounts and official conduct of the Doorkeeper of the last House of Representatives, Mr. Dawes, of Massachusetts, in place of Mr. Purviance, of Pennsylvania, excused.

At ten minutes before 4 o'clock, the House adjourned till Monday next.

Monday, January 25, 1858.

SENATE.

The Neutrality Law.—Mr. Mason, from the Committee on Foreign Relations, to which was referred the message of the President of the United States of the 7th inst., in relation to the arrest of Wm. Walker reported a bill. It provides that when any vessel or vessels are arrested without the territorial jurisdiction of the United States, for a violation of the provisions of the act of 1818, it shall be the duty of the commanding officer making such arrest to bring or send said vessel or vessels, with all on board, together with their cargo, to the port whence they sailed or where their clearance was had, and there to surrender it and them to the collector of the customs, to be dealt with according to law.

Mr. Mason also submitted an elaborate report, which occupied about half an hour in the reading, closing with the following resolutions:

Resolved, That no further provisions of law are necessary to confer authority on the President to cause arrests and seizures to be made on the high seas for offences committed against the act entitled "An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," approved April 20, 1818.

Resolved, That the place where William Walker and his followers were arrested being without the jurisdiction of the United States, their arrest was without warrant of law. But in view of the circumstances attending it, and its results, in taking away from the territory of a State in amity with the United States American citizens who were there with hostile intent, it may not call for further censure than as it might hereafter be drawn into precedent if suffered to pass without remark.

Mr. Douglas did not concur in the report.

Mr. Foot expressed his hearty concurrence in the general principles and propositions. While he concurred with the committee in sustaining the President, yet so far as blame was imputed to Com. Paulding he was unable to give it his concurrence.

Mr. Mason moved that the bill and report be printed, and that it be made the order of the day for the 9th of February; which was agreed to.

Contested Seats.—Mr. Bayard called the attention of the Senate to the report made from the Committee on the Judiciary in relation to the contested seats of the Indiana Senators, and gave notice that he would call up the report the first thing to-morrow.

Kansas Affairs.—The Senate then proceeded to the consideration of the special order.

Mr. Harlan, of Iowa, then proceeded to deliver an earnest speech in opposition to the admission of Kansas into the Union under the Lecompton Constitution. He directed his remarks in the first place to an examination of certain positions assumed by Mr. Douglas in his speech on the same subject. He analyzed the doctrine of popular sovereignty as secured to the people by the organic act of 1854, which had proved, he thought, a very insecure guarantee for the most primary rights of the people in that Territory.

Mr. H. then proceeded to review the dogma that the Constitution carries Slavery into the Territories of the United States. This assumption, he thought, involved the right of the slaveholder to settle, with his human property, upon the public lands anywhere within the Union; and, if so, then upon the unoccupied public lands within the free States. The Constitution, in its only three clauses having reference to slaves, treats of them expressly as persons, and as persons only. "Slaves" are made and held by the law of force in local communities, and not by the constitutional law of the land.

The speaker concluded his remarks by adverting to the intolerance of Southern public opinion, which allowed no scope for freedom of dissent from what he deemed its arbitrary exactions.

A discursive debate then arose, with respect to the accuracy of a statement made by Mr. Harlan, upon the authority of Gov. Walker, to the effect that in nineteen counties of the Territory of Kansas there was no census of voters for the Constitutional Convention. This assertion was contested by Messrs. Polk, Bigler, and others, and was reaffirmed by Messrs. Stuart and Wilson. Mr. Pugh deemed this a vital point in the whole Kansas discussion, and desired more light on the subject.

HOUSE.

The Speaker announced the select committee on the subject of the Pacific railroad, as follows: Messrs. Phelps of Missouri, Jones of Tennessee, Washburn of Maine, Millson of Virginia, Curtis of Iowa, Corning of New York, Underwood of Kentucky, Groesbeck of Ohio, Gilman of North Carolina, Singleton of Mississippi, Farnsworth of Illinois, Phillips of Pennsylvania, Leach of Michigan, Bryan of Texas, and Scott of California.

The House went into Committee of the Whole, (Mr. Branch, of North Carolina, in the chair,) and resumed the consideration of the invalid pension bill.

Mr. Gartrell, of Georgia, addressed the Commitee in defence of the institution of domestic Slavery as existing at the South, and the necessity for its extension and perpetuation under this Government, replying to the remarks of Mr. Blair, of Missouri, who a few days since denounced the institution as a cancer upon the face, which, unless removed, would eat into the vitals of the body politic. This, he said, was a fanatical idea, stereotyped by certain politicians, from the time of John Randolph to this hour. He maintained the reverse of the proposition, and held that Southern Slavery was right in principle and practice; that it was a blessing both to the African and to the European races, developing the resources and assisting the progress of the country. And that it had elevated the nation in the scale of morality, wealth, enterprise, and intelligence, to a point never attained by any other nation. Slavery was not only sanctioned by the Constitution, but by the highest possible authority, the Bible. Mr. G. then read passages from the Old Testament, which he argued not only sanctioned Slavery, but provided laws for its protection for all time to come.

Mr. G. had not concluded his remarks when his hour expired, and he asked leave of the House to print the remainder of his speech.

This led to considerable discussion and confusion, during which the floor was assigned to

Mr. Washburne, of Wisconsin. After order had been restored, Mr. Washburne addressed the Committee on the subjects of the financial revulsion, bank credit, &c. He held that the principal cause of the prevailing financial distress was the extravagance and the corrupt and corrupting practices of this Government during the last twenty years.

The country was suffering under pecuniary distress and universal bankruptcy. People had looked for relief to the President's message; but the message came and went, and brought no ray of hope. The President only assailed the State banks. He attributed the financial revulsion to the repeal of the protective tariff of 1842, and the substitution of the revenue or free trade tariff of 1846. This was done against the voice of the people, as expressed in the election of 1840, and for no other reason, that he could learn, than that the protective tariff was a Whig measure.

Mr. Bingham, of Ohio, spoke upon the Kansas question, which he considered of paramount importance. It was a question between Executive despotism and popular liberty.

The Lecompton Constitution was against the will of the people of Kansas, against the Constitution of the United States, and against the principles of eternal justice. This was the first time in the history of our Government that an attempt had been made to establish by Federal authority a State Constitution and Government, not only without but against the consent of the people of the proposed State. State Constitutions had been sent to Congress without any formal ratification by the people; but that was only when the Convention had been fairly chosen, and was believed fairly to represent the people. In Kansas, the delegates were chosen illegally, by a small part of the people only—less than a fourth of the legal voters—pursuant to enactments passed by a body of usurpers; and their Constitution, the joint product of local and Federal usurpation, was notoriously repudiated and disavowed by the great body of the people. And now that the rights of the people were cloven down, now that popular sovereignty was strangled, they were told to acquiesce in the outrage, for the sake of the peace and quiet of the whole country. It was not the first time that tyrannical acts had been dignified with the title of peace measures. They are now told "that all is quiet in Kansas." It was but the fitful lull which precedes the storm. Let them look to it that by their act the freemen of Kansas were not pressed to that point at which forbearance ceases to be a virtue, and becomes a crime. Kansas was filled with freemen who know their rights and dare maintain them, who have fortitude to endure and courage to dare. Let those who keep watch and ward on the Constitution, look to it, these men be not driven to the dread election of submission to dishonor or resistance with blood. Notwithstanding the calumnies of those who professed to doubt the manhood of the men of Kansas, they would never submit to the Lecompton Constitution, unless it were perpetually maintained by a Federal army. Resistance would be duty, not crime—patriotism, not treason. They could justify their rebellion by the organic act, by the Declaration of Independence, and by the principles of eternal justice. Let them appeal to the American nation, and they will not appeal in vain.

At the conclusion of Mr. Bingham's remarks, the Committee rose, and the House adjourned.

WASHINGTON, D. C.

THURSDAY, JANUARY 28, 1858.

☞ The communications of an anonymous writer, who has planned for the *Era* a series of three discourses on Abolitionism, Colonization, Amalgamation, Ham and his descendants, the Curse of Canaan, &c., &c., are declined. Neither his selection of topics, nor his manner of treating them, so far as we have examined his first number, would interest or profit our readers. He overlooks entirely the real controversy in which we are engaged. If he has anything novel to say about Ham and Canaan, we have no doubt the Richmond *South* or *Enquirer* will afford him a medium for communicating with the Public. They have a passion, we believe, for Biblical exegesis and ethnology.

☞ Another correspondent sends us an article, controverting what he understands to be our view of the Constitution in its relations to Slavery. He must excuse us for not turning aside at present to a formal discussion of this subject. Our position is well known, and it is settled. The few who dissent from it, and agree with Mr. Goodell, have been allowed to occupy a very large portion of our columns in presenting and advocating their views. To Mr. Goodell himself we accorded the privilege of writing a long series on the question, which ran through an entire volume of the *Era*, if we mistake not. Certainly, this is enough. Let us be satisfied with doing all we can to promote and establish Liberty throughout the land, without stopping to exact uniformity of faith and doctrine—a dogmatic folly which has been the root of all the persecutions of Christendom.

POST OFFICE ROBBERIES.

The Washington *Union* has an editorial concerning frauds on the post office. The Government hardly loses as much by *frauds on* the post office, as the People lose by *robberies in* the post office. We have been patiently waiting in silence for the detection of some plundering villains, who have been making free with our letters, but, in vain; and in self-defence we we must at last speak out. Within a few weeks past, we have received information of the miscarriage of divers letters, mailed at dates ranging from December 23d to January 8th, containing remittances amounting in the aggregate to more than $250, all of which was undoubtedly stolen after having been duly mailed. One letter contained $44, and was mailed at Salem, Massachusetts. Others contained various amounts. The robberies are confined to no route. Remittances mailed in the Far West, in Ohio, Pennsylvania, New York, and New England, have been alike stolen.

The moment the mischief was brought to our knowledge, certificates were obtained from Postmasters, certifying the amounts of money mailed, dates, &c.; all the facts were duly communicated to the General Department; immediate efforts were made to detect the robbers, but they have failed, and all that is left us now is, to proclaim the robberies, so that the scoundrel or scoundrels may understand that they are suspected, and agencies are at work which may yet secure their detection. This may put them on their guard, and, for a time, make detection more difficult, but we cannot consent to be longer victimized, and advise the vile scoundrels to let our letters alone. In one month, under the present Administration of the post office, we have lost more money by mail, than we lost during the whole four years of Mr. Campbell's Administration.

We have now a few words for our subscribers. Do not be alarmed. Any moneys you send us, are sent at our risk, not yours. Remit with confidence, for the likelihood is that we shall lose less hereafter than we have already lost. But, pray, attend to this single suggestion: *Whenever you have a large amount to send, remit by draft, made payable to our order, if possible:* if not, *then register the letter containing the money.* This may not prevent robbery, but it will enable a detector to trace the letter to the point where the robbery is committed. It is to be regretted that we cannot have at the head of the Post Office Department a man of sufficient knowledge and capacity to organize a system by which remittances can be made within certain limits through the mail, by post office orders, as is done in Great Britain.

THE ADMINISTRATION AND SUPREME COURT ALLIED.

Mr. Izard, of Georgia, was appointed the first Governor of Nebraska. Lately, Fayette McMullin, of Virginia, has been appointed Governor of Washington Territory; Abraham Rencher, of North Carolina, Governor of New Mexico; Alfred Cumming, of Missouri, Governor of Utah; John Hartlett, of Missouri, Secretary of Utah; and the Secretary of New Mexico, we believe, is also a slaveholder. The Administration and Supreme Court are allies. How faithfully the former labors, through the selection of its chief agents, to secure to the Slave Power in the Territories the full benefit of the Dred Scott decision! After all, the laws of nature and of immigration may baffle its sinister policy.

TUESDAY IN CONGRESS.

In the Senate, the bill for the increase of the Army was taken up, and Messrs. Toombs, Davis, Hale, Foster, and others, spoke upon an amendment offered to the original bill by Senator Toombs.

In the House, Mr. Anderson, of Missouri, spoke in favor of the Lecompton Constitution, the House being in Committee. After which, the Committee rose, and the Invalid Pension bill was passed. The House then brought up the Printing bill, and resolved itself again into Committee. Mr. Phelps, of Missouri, spoke for the Printing bill. C. B. Cochrane, of N. York, followed in an able speech against the Lecompton Constitution. The Committee then rose, and, after unimportant business, adjourned.

GOV. WALKER IN KANSAS—THE TRUTH AT LAST.

In answer to a late resolution of the Senate, the President transmitted copies of correspondence and documents relating to Kansas, most of which has already appeared in the *Era.* Of that which has not found its way to the public, the letters of Governor Walker to Secretary Cass, giving an account of his exertions to maintain peace and advance certain party interests in Kansas, are the most interesting.

In a letter to the Secretary, dated June 2, 1857, he transmits copies of his Inaugural Address, which, he says, in consequence of the position taken in favor of submitting the Constitution to be framed to a vote of all the People of the Territory, had produced a most soothing effect:

"On the whole, although there is, as yet, great discontent in the Territory, and serious threats of resisting the Territorial laws, yet I thing a soothing effect has already been produced upon the people by the positions assumed in my address, and I indulge strong hopes of a peaceful settlement of this question. You may rest satisfied, however, that *unless the people had been assured that the Constitution should be submitted, as far as our power extended, for ratification or rejection by all the actual* bona fide *resident settlers, a most disastrous civil war here would have been inevitable.*"

"As far as *our power extended,*" are words plainly implying what he had asserted in his Address, that such was the position of the Administration. This assumption is repeatedly made throughout the correspondence, and there is no record of any letter from Gen. Cass, discrediting it, or censuring Governor Walker for urging it, as the great peace-making argument.

July 16th, he writes that he had visited Topeka at the time when the Free State Mass Convention and the "so-called" Topeka Legislature were in session, and that by his arguments and appeals he had succeeded in preventing the triumph of violent counsels, and in inaugurating "a great movement." The reader will naturally desire to know what this movement was. It was nothing less than the *separation of the Free State Democrats from the Republicans, and the amalgamation of the Free State Democrats and the Pro-Slavery men into one body, styled the National Democratic Party!* As this was not fit to be introduced into the grand argument by which the Governor sought to magnify Popular Sovereignty, and demonstrate to the People of Kansas that his course was dictated by stern Justice and sublime Principle, it was reserved for the ear of the Administration alone; and we now learn that this party topic formed the principal theme of his communications to the Administration.

"The result," he says, "of the whole discussion at Topeka was regarded by the friends of law and order as highly favorable to their cause, and as the commencement of a great movement essential to success, viz: *the separation of the Free State Democrats from the Republicans, who had to some extent heretofore co-operated under the name of the Free State party.* It was, however, universally admitted that, but for the position assumed in my inaugural address, and emphatically repeated at Topeka, that the people of Kansas, so far as my power extended, should be permitted, by a full vote of the actual residents of Kansas, to decide upon the great question of the adoption or rejection of the State Constitution to be prepared by the Constitutional Convention, which should assemble at Lecompton in September next, that the more violent course would have prevailed, and the Territory have been immediately involved in a general and sanguinary civil war, postponing, for the present at least, if not indefinitely, any pacific settlement of these momentous questions."

The italicizing is ours. It is well to notice his repeated and emphatic assertion, that nothing but the pledge of a submission of *the Constitution* to a fair popular vote, could prevent a civil war.

He continued his efforts as an apostle of National Democracy, in all parts of the Territory. Early in July, as we learn from the same letter, he appeared at Paoli, where a large crowd were in attendance at the land sales, and preached against the Republicans.

"I endeavored to convince them that the so-called Republican party of Kansas, and their associates in the United States, had endeavored, and still desired, as set forth in their platform, to deprive the people of Kansas of the right to adopt their own social institutions, and had referred this question to Congress, where the people of the Territory would have no vote whatever; and continued my efforts on this ground, in connection with other topics, to separate the Free State Democrats from any alliance with the Republicans. By 'Free State Democrats' I mean those who were favorable last year to the election of Mr. Buchanan, but who desired to bring Kansas as a free State into the Union. Our friends were greatly pleased with the result of the proceedings at Paoli. In all my speeches, I have refrained from expressing any opinion as to whether Kansas should be a slave or free State."

The Governor, according to his own showing, appears, not as the impartial statesman, but as a mere partisan, seeking the success of one Party, by the disparagement of another. The thing, too, he applauded, the division of the Party of Freedom, and the triumph of the Pro-Slavery Party, by allying with it the Free State Democrats.

His party harangues were quite effective. A Convention of the "National Democrats," as he styles them, met at Lecompton, to nominate a Territorial Delegate to Congress. It was composed, he says, "of a large majority of the leaders of the Pro-Slavery party of this Territory, the remainder being Free State Democrats." The Governor proceeds to state the result of his policy.

"They adopted with great unanimity the Cincinnati platform, discarded all sectional differences, invited a union and co-operation of Northern and Southern Democrats, and nominated Governor Ransom, a distinguished Free State Democrat, lately from Michigan, and who fully concurred in the views expressed in my inaugural address, as the Territorial Delegate to Congress. A resolution was offered by the Pro Slavery Delegate, instructing the nominee of the party for Congress to support there the adoption of the State Constitution which might be framed by the Constitutional Convention which should assemble in September next, *whether the same had been submitted for ratification by the vote of the people or not.* Very able addresses were made on this resolution, and especially by Judge Elmore, of Alabama, who earnestly advocated the submission of the Constitution to the vote of the people, as the only course that was safe or proper. This is the more important, as Judge Elmore is a man of very decided ability and of great influence with the Pro-Slavery party. He was President of this Democratic Convention, and is a delegate to the Constitutional Convention which assembles in September next. This resolution, which was regarded as substantially against the submission of the Constitution to a vote of the people, was laid on the table as *a test vote* by a vote of forty-two to one. The result was announced by the President of the Convention amid enthusiastic cheers."

The Governor says that many distinguished Democrats from the South, visiting Kansas, and *the Democrats* of the State of Missouri, cordially sustained his policy; for they saw that "any other course would separate the Free State Democrats from their Pro-Slavery associates."

"They reason thus: that if there be a majority of the people of Kansas in favor of making this Territory a slave State, they will so vote when the Constitution is submitted for their consideration; but that if the Free State party constitute a majority, and a Constitution Pro-Slavery in its character should be adopted by the Convention without submission to the people, they see very plainly that this party, driven by such a course into violent opposition to Southern institutions, will elect an Abolition State Legislature, send two Abolition Senators to the Senate of the United States, and a member to Congress entertaining similar sentiments, and that, at a very early period, they would amend the Constitution, and make it hostile, in every respect, to the institutions of the South. Yet they would have been admitted as a State, and their power to amend the State Constitution could not be arrested. Thus it would happen that, whilst for a short time Kansas would have a Pro-Slavery Constitution on parchment, she would be rendered by this course, in fact, an Abolition State, opposed to the Fugitive Slave Law, and necessarily producing collision with the coterminous State of Missouri. Indeed, if the Convention (of which I have no fears) should adopt a Constitution without submission to the people, and it should be Pro-Slavery in form, it would be accompanied by an Abolition State Legislature, Abolition United States Senators, and Member of Congress, and an immediate movement for the amendment of the Constitution, which would soon be carried into effect; and the Southern States, in my judgment, would vote unanimously against the admission of Kansas, because the Constitution had not been submitted to the people; otherwise they will have received the Grecian horse within the walls of Troy. Indeed, it is universally admitted here that the only real question is this: whether Kansas shall be a conservative, constitutional, Democratic, and ultimately a free State, or whether it shall be a Republican and Abolition State; and that the course pursued by me is the only one which will prevent the last most calamitous result, which, in my opinion, would soon seal the fate of the Republic."

This extract we quote from the same letter, July 16th. It shows clearly the *animus* of Governor Walker, and how groundless the confidence of some of our friends, that he had any sympathy with them, or was controlled by any high principle.

The Governor, acting as the agent of the Federal Administration, proceeded in the policy of active Intervention, so hypocritically disclaimed and denounced by the organs of the Administration. Having separated the Democrats from the Republicans, and united them with the Pro Slavery party, his next step was to shape the proceedings of the Lecompton Convention, so as to secure Slavery under a Constitution, in form, Free State, in substance, Pro-Slavery.

We do not misrepresent. Robert J. Walker is most unjustly assailed by Southern men. He did all he could for their peculiar interests.

We shall again let him speak for himself. The passage occurs in the same letter, July 16th:

"After much conference with a majority of the delegates elected to the Constitutional Convention which meets in September next, my opinion is, that they will in all probability pursue this course, viz: to adopt a State Constitution very similar to that of some of the Southern States, securing the right to the slaves now in the Territory, numbering probably from two to three hundred, but prohibiting the introduction of any more slaves; excluding all free negroes, enforcing by most stringent provisions the execution of the Fugitive Slave Law; securing the right of appeal in all constitutional cases to the Supreme Court of the United States; and requiring all officers of the Government—legislative, executive, and judicial—the judges and inspectors of all elections, and the attorneys of all courts, to take an oath to support the Constitution of the State and of the United States. Such a Constitution, if submitted to a vote of the whole people, would, in my opinion, be adopted by a very considerable majority; for I think the great mass of the Free State Democrats and of the Pro-Slavery men would unite in its support, as the best that could possibly be done under existing circumstances. Such a Constitution would meet my most cordial approval, and I should devote my whole time in addresses every day to the people of every county of the Territory, to insure its adoption. Indeed, I greatly prefer this plan to any other, if it should be practicable.

"Many of the Pro-Slavery men object to a Constitution which shall be silent on the subject of Slavery on several grounds: first, because it would not settle the question; secondly, because, the question being unsettled, it might prevent a union between the Free State Democrats and the Pro-Slavery men in the election of a State Legislature; thirdly, because, there being no prohibition of emancipation in the Constitution, they apprehend the State Legislature would at their first meeting abolish Slavery altogether in Kansas, including the slaves heretofore in the Territory, and, as the result of such an agitation, throw the State into the hands of the Republican or Abolition party. Still, however, if the Convention deem it best to adopt such a Constitution, it will receive my cordial support, and my best efforts would then be directed to secure a union between the Free State Democrats and the Pro-Slavery party in the election of the State Legislature."

Such was Mr. Walker's plan—a Constitution protecting Slavery as existing in Kansas, but prohibiting slave-immigration—to be submitted to the People, of whom, he supposed, his new Party, the union of Free State Democrats and Pro-Slavery men, constituted a majority. Alas, for the Agent and his Principal—for the Governor and the President! Their Intervention, after all, proved a miserable failure.

In closing the letter, he refers to intelligence just received of alarming intentions of rebellion in Lawrence; and in another letter, dated July 20th, he enlarges upon this danger, and on the necessity of maintaining two thousand troops in the Territory to preserve peace. But, he soon recurs to his favorite theme—the organization of a Pro-Slavery Democracy in Kansas:

"The only practical way to maintain the peace of the Territory, and to inaugurate a party which would support the Constitution and the Union, is to unite the Free State Democrats here (who were with us in the election of 1856) with the Pro-Slavery party of Kansas.

"This could be accomplished in no other way than by carrying out the policy indicated in my inaugural address and various speeches. This policy was making great and successful progress when the violent attacks made upon it and upon me by Southern extremists reached the Territory. These proceedings, I assure you, have produced deep agitation among the Free State Democrats, many of whom had professed to me a willingness not to impair the right to the slaves now in the Territory, and to adopt conservative clauses in the Constitution as to the Fugitive Slave Law and appeals to the Supreme Court of the United States.

"But since the proceedings of those extremists have become known here, some of these Free State Democrats have receded from this conservative position, notwithstanding all my arguments addressed to their reason and patriotism; and there is most serious apprehension that a considerable portion of them will join the Republicans—not, perhaps, in their revolutionary proceedings, but in insisting on a Constitution similar in all respects to that of the free States generally. A perfect union of Free State Democrats with the Republicans on this question would constitute an admitted and overwhelming majority of the people of the Territory, and, if effected, would produce the most deplorable results, not only in the bordering State of Missouri, but throughout the Union. Indeed, I entertain the most serious apprehensions that if the Kansas question cannot be settled in pursuance of the policy advocated by me, the harmony of the Union, if not the very existence of the Government, may be placed in imminent peril. Had I remained silent on the points discussed in my inaugural, no hope could have existed of any settlement of this question in any manner favorable to the peace and harmony of the Union.

"I shall continue my efforts unceasingly to cement the union between the Free State Democrats and the Pro-Slavery party here upon the policy indicated in my inaugural address; and if this can be accomplished, the great object of my mission will have been attained, and Kansas come into the Union as a conservative State, without any confiscation of the slave property now within her limits."

That is to say, a Pro-Slavery State, with Pro-Slavery Senators and Representatives, and a Constitution perpetuating forever the Slavery already existing by usurpation in Kansas—the great object of Mr. Walker's mission!

☞ In the letter of Governor Walker insisting on the necessity of maintaining a large military force in the Territory, ready to act at a moment's warning, no reference is made to the violence of the Pro-Slavery Party, to the repeated invasions of Kansas by Missourians. The Free State men, if we may believe him, are the only men of violence, against whom it is necessary to maintain the public peace. Their preparations to protect themselves against a repetition of the outrages they had suffered so often, and to prevent fraudulent voting, are represented as the incipient movements of Rebellion.

The Governor having obtained leave of absence, Mr. Stanton became Acting Governor, and soon received from General Cass a communication, dated December 2d, containing in advance that portion of the President's message which related to the Constitution:

"You are instructed to have it as extensively published as possible throughout the Territory before the election of the 21st instant, so that no voter may misunderstand the President's views in regard to proceedings of the late Convention in Kansas."

And, for any expense incurred in thus circulating it, he was authorized to draw upon the State Department.

Here was Intervention, with a vengeance. The People of Kansas, according to their organic act, were to be left perfectly free to form their own domestic institutions. All intervention on the part of Congress or the Federal Executive was emphatically condemned. The burden of all the complaints of the Extreme Party of the South against Walker was, that as a Federal officer, he had practiced intervention. Now, these letters show, from beginning to end, that there was Federal Intervention, gross, pertinacious, impertinent, directed to the protection of Slavery in Kansas, to the suppression of Republicanism, and to the establishment of the ascendency of the Pro-Slavery Party. This missile of General Cass shows that the President interfered directly and positively to constrain the People to vote on the Lecompton Constitution, by announcing to them in advance that he recognised the proceedings of the Convention, the legitimacy of the form in which it was proposed to take a vote on the Constitution; and that it was his intention to make the adoption of that Constitution by Congress an Administration measure. This was an outrage upon them—a gross invasion of their freedom of action; and yet, the supporters of the President will continue, with characteristic audacity, to insist that the only safe and constitutional Principle on which this Slavery Question can be settled, is that of Non-Intervention on the part of Congress and the Executive!

THE ADMINISTRATION AND PUBLIC SENTIMENT.

An Administration must be totally bankrupt, if it cannot command some demonstrations in its behalf. What with office-holders, office-seekers, their retainers, and dependents, it will always have supporters enough to hold meetings, and write letters in its glorification—and there will be no lack of newspapers to herald the "Tens of Thousands in Council!" "The Masses Moving!!" "James Buchanan Triumphantly Sustained!!!"

But, even such exhibitions of overflowing admiration for this Administration have been few and far between. Mr. Buchanan has failed to inspire with enthusiasm even the tribes that feed or linger at the public cribs. With the exception of a couple of meetings in New York and Philadelphia, (we all know how difficult it is in those thinly-peopled spots to get up public demonstrations,) the supporters of the Administration have been ominously silent. They issued a call in Detroit to Democrats for a meeting to sustain the President, and a little newspaper there published the proceedings, endorsing, as it supposed, the Lecompton Constitution—but it was just a little too fast: *the* Democrats *generally* answered to the call, took possession of the meeting, and passed resolutions in favor of the Douglas policy of submitting the whole Constitution to the People.

The Washington *Union* was surprised that the *Intelligencer* should publish the proceedings *de facto*, instead of the proceedings *de jure!*

The State Convention of the so-called Democracy of Indiana was manipulated by the office-holders, who, failing to make it speak out *for* the Lecompton Constitution, contrived that its views against it should be put in so ambiguous a shape, that they could be construed in one way at home, and another at Washington. The Administration was endorsed, and Black Republicanism profusely execrated, all of which was duly recorded in the Administration organ of this city; but a certain resolve, discountenancing the Lecompton Constitution, it said, was passed by the Convention irregularly, after the retirement of many of the members. The truth is, that the resolution was passed in full session, by a vote of 317 to 199—majority, 118; total vote, 510. It is as follows:

"*Resolved*, That we are still in favor of the great principle of the Kansas-Nebraska bill; and that, by a practical application of that doctrine, the people of a State or of a Territory should be, as they are, inalienably invested with the right of ratifying or rejecting, at the ballot-box, any Constitution that may be framed for their government; and that, *now and hereafter*, no Territory should be admitted into the Union as a State, without a fair expression of the will of its people being first had upon the Constitution accompanying the application for admission."

It was originally introduced by Mr. Wallace, then referred to the Committee on Resolutions, which reported majority and minority reports, both different from the original resolve. On motion of Mr. Wallace, his resolution was adopted as a substitute, the word "*inalienably*" having been erased—yeas 317, nays 199—and the report of the Committee, as thus amended, concurred in—yeas 378, nays 114.

A telegraphic dispatch, instead of the words, "*now and hereafter*," substituted, by mistake we presume, "*therefore.*" This error constituted the basis of Dr. Fitch's remarks in the Senate, who assumed that *hereafter* was the correct reading, instead of *therefore*, which of course, he argued, would except the Lecompton Constitution from the operation of the general principle affirmed in the resolution.

But, it turns out now that neither the telegraph nor the Doctor is right. The resolution as passed contained the words, "*now and hereafter*," thus applying explicitly to the Lecompton Constitution, or whatever Constitution or State Government might hereafter be framed in any Territory.

Who, then, altered the resolution? Some supposed the wire-workers of the Convention did it—some, that it was a mistake of the reporter—but it seems that Mr. Wallace himself assumes the responsibility. The Albany (Ind.) *Ledger* says:

"Mr. Wallace, we understand, avows that the resolution as printed is the one offered by him, *and that all the changes in it are his own.* He refuses to play into the hands of the Black Republicans, by charging a dishonorable act upon the officers of the Convention."

The editor of the Logansport *Phasis*, who was at the Convention, says:

"When the committee to whom the resolution of Mr. Wallace had been referred reported back two resolutions, both differing from the original, that gentleman moved that his resolution, with two verbal amendments, be substituted. Gov. Willard, in putting the motion, took much pains to state the question very plainly. He said that he understood the resolution to repudiate the Lecompton Constitution, and asked Mr. Wallace if that was his understanding of it; and Mr. Wallace responded that it was. The vote on striking out and substituting was taken by counties, and resulted—yeas, 317; nays, 199—118 majority. Total vote, 516."

All accounts concur in stating that the resolution was altered without the knowledge of the Convention. On such shifts does the Administration rely for support.

The questionable character of the proceedings of the Convention has alarmed the more prudent men of the Party, who, fearing defeat in the coming contest, have called a mass Convention of the Democracy, to meet at Indianapolis on the 22d February. The circular says—

"That the Convention of the 8th of January reflects the sentiments of the party fully on some points, but only partially on others; that that Convention says nothing of the Territorial question as presented in the President's message, and in the ensuing Congressional discussion, which engrosses all minds; and that local interests are forgotten in the intensity of the excitement naturally arising out of a discussion of the fundamental rights and liberties of a free people. This, it adds, has been brought about, not so much by anything actually done by the Delegates to the 8th of January Convention, as by what was omitted to be done in the excitement and confusion of the hour, and which was essential to the public interests, and has proved a source of undisguised dissatisfaction and well-grounded complaint to a large proportion of the Democratic party in the State. It also says that the final resolution of the Convention with regard to the Lecompton Constitution is so differently construed, that it has been deemed important to the harmony and success of the party to call this Convention. The naked question with Democrats in Indiana is, 'Are we in favor of contributing to force the Constitution, with Slavery, upon the people of Kansas, against their will?' If we are, our party will be overwhelmed with defeat. Whilst we cordially endorse the Administration, and generally are willing to tolerate a divided opinion, we ask our Democratic brethren not to risk defeat by deserting those principles which have led us to victory in the past, and the abandonment of which will doom us to defeat in the future."

Doubtless the consciences of the signers to the Circular were pricked by the following call, issued by the Republican State Convention of Indiana, for a Mass Convention, to be held at Indianapolis, on the 4th of March next:

"At a meeting of the undersigned Republicans from different portions of the State, called together by the Chairman of the Republican State Committee, at Indianapolis, on this day, it was unanimously agreed to call a Mass Convention, to be held at Indianapolis, on the 4th day of March next, at ten o'clock A. M., and to extend to all persons, without regard to past party designations, opposed to the Lecompton policy of the present Administration, a cordial invitation to attend and to participate in its deliberations for the purpose of forming a State ticket in opposition to the one nominated on the 8th instant, by a packed Convention of Federal office-holders and expectants, who, while *professing* an adherence to popular sovereignty, 'cordially approved and endorsed the Administration' in its efforts to force Kansas into the Union as a slave State, contrary to the wishes of a vast majority of her citizens.

"In order that all the counties may be fully represented, it was also agreed to recommend to the people of each county to hold meetings at an early day, preparatory to the State Mass Convention."

The so called Democratic Mass Meeting of of February 22d will undoubtedly do what it can to prevent discontented Democrats from going over to the Republicans. It will swear as fiercely as anybody against the Lecompton fraud, and proclaim to the world that the Democratic party of Indiana is as much in favor of Popular Sovereignty, and the right of the People to judge of their own Constitution, as it ever was, but it will take care to sustain Bright and Fitch, their own State ticket, and the Administration, although all are pledged, in defiance of "Popular Sovereignty," as it is styled, to force the Lecompton Constitution upon an unwilling people. We may be mistaken; if so, the meeting, if honest, will repudiate, not only an outrageous policy, but the men who support it, and unite with the general opposition for their defeat. This thing of swearing against a measure, and swearing for the men who sustain it, is insulting to the People. The Lecompton usurpation is the favorite measure of the President; he has made it a test of party fidelity. He who is against it, is against him; he who is for it, is for him. Honest, fair-minded Democrats in Indiana, as elsewhere, will hardly suffer themselves to be imposed upon by tricksters, whose motto is, "Men, and not measures." They will hardly support an Administration which identifies itself with a measure which they abhor, and tramples under foot principles which they cherish.

To a stranger, ignorant of the domination of the Slave Power, the conduct of the President in defying the sentiment of the Free States, and the will of his own party in those States, on this question, must appear incomprehensible. Let him once come to a knowledge of the great fact, that the President was made by that Power, and is but its representative and agent, and the mystery will disappear. Slaveholders consult their own interests, not those of the People—their own will, not the will of the People; and our history shows that, although in a minority in both branches of Congress, they have been able, again and again, by the aid of a Federal Executive under their control, to force through that body, measures odious to the great body of the People of the Free States, and against which it was at first supposed the representatives of those States would stand united.

In his detestable Lecompton policy, the President finds himself rebuked by the People of the North generally, and unsupported in that section even by his own Party. In his own State, the Democratic Governor, Mr. Packer, in his Inaugural, explicitly condemns it; and, in fixing a time for holding a State Convention, the President's friends have been over-ruled. Everywhere throughout the North and West, the popular voice is against him—and yet he persists, as if his course were everywhere triumphantly sustained. His friends are confident that he will succeed—that his patronage and influence will more than counteract the adverse influence of Public Opinion on the minds of members from the Free States—that he will be able, despite the will of their constituents, to carry enough Northern Representatives to force through the Lecompton Constitution. We agree with them. His power will suffice, and the deed will be accomplished, *if the Slave Power remain unyielding and united.* Should the Slaveholders reconsider the policy, and retreat, or even hesitate, in fear of the effects on the so-called Democracy, and the ulterior consequences affecting their general schemes, the result will be different.

The duty of the Republicans is a plain one. The hope of Freedom lies in their exertions. If they relax their efforts or vigilance, the so-called eDmocracy will continue to bow its neck to the yoke, and do the will of its master. They must arouse the people. They must appeal to the well-meaning Democrats, who still cling to their Party in the hope that this shame may yet be spared them. They must organize rapidly in every county and district, and bring Public Sentiment into such a shape, that it may, failing to arrest the evil about to be done, visit prompt retribution on the evil-doers. Let them take care that the success of this monstrous Fraud shall seal the fate of the Power that demands and the Party that shall perpetrate it.

☞ Mr. Bingham, of Ohio, delivered a bold and able speech in the House, on Monday, against the Lecompton fraud. He commanded the general attention of the House, and was interrogated to some extent by Southern members.

THE UTAH DIFFICULTY—THE DELINQUENCY OF THE ADMINISTRATION.

Although the President has ordered a military force to Utah, and the House has raised a commitee to inquire whether Mr. Bernhisel, as Delegate from that Territory, ought to be allowed to retain his seat, we do not understand that a state of war really exists. Governor Cummings has been appointed successor to Brigham Young. The Organic Law of the Territory vests the appointing power in the President, and he has exercised it in accordance with the Law. Evidence sufficient has been furnished him to prove that the Mormons, under the lead of Young, intend to resist by force of arms the assumption by Governor Cummings of his office, and the discharge of his official duties. The President has reason to believe that the Territory is in a state of insurrection. With this fact before his eyes, he is bound to maintain the laws of Congress, organizing the Territory, under and in virtue of which Governor Cummings has been appointed. He is not making, but preparing to enforce the law, and suppress Insurrection. Governor Cummings has issued his Proclamation, announcing precisely this state of affairs, calling upon the people to abandon all insurrectionary combinations, and submit to the laws, declaring that he will first relie upon a *posse comitatus* for aid in the performance of his duties, and, this failing, will then resort to the military power of the United States. Meantime, a court has been established for proceeding against offenders according to law. In all this, the conduct of the President, it seems to us, is in obedience to his oath of office. He has nothing to do with the religious or irreligious faith of the Mormons, but much with the suppression of insurrection against the laws.

While the People will sustain the Government in establishing law in Utah, they will not forget how this man Young and his followers have been encouraged in their rebellious purposes by the doctrine of Squatter Sovereignty, so fervently preached by the so called Democracy. *That* has been at the bottom of the mischief. A community, such as that of the Mormons, practicing an abomination hateful to Christian civilization, and rendered penal in all our States, ought never to have received a Territorial Government. But not only was it placed on a footing with other Territories, it was treated as if entitled to superior privileges. For the most part, it was favored by the Executive with just such officers as it desired. A prudent forecast would have led to the selection at the outset of Judges, Attorneys, Marshals, and Governor, holding sentiments and positions in harmony with the civilization of the United States—not men addicted to the barbarous practices of Mormonism. But one President after another winked at the abomination, and allowed Brigham Young, the head o the new Theocracy, to continue in office, and defy the Government, till at last the evil has assumed the form of rebellion, and now the army of the United States is required to remedy the baleful consequences of an imbecile and absurd policy.

This is not all: The Territory one year ago was as much in a state of insurrection as it is now, and there was just as much reason for the interposition of military force. Had the President, when he appointed Governor Cummings, nine months ago, despatched him instantly, with a military escort, to Utah, he would have reached the Territory before winter, and the celerity of the movement would probably have disconcerted all plans of resistance. Instead of this, he must delay, and delay, retaining the troops in Kansas to enforce upon the People an abominable usurpation, until, when the Governor and his escort set out, the season was so far advanced, that snow gathered about their march, and before they could reach Utah, they were compelled to go into winter quarters, thereby giving Insurrection time to mature its plans and combine its forces; to say nothing of the immense expenditures necessary for the subsistence of a large army through the winter at a point where they can obtain their supplies only from a great distance and at a heavy cost.

We hope that this conduct of the Administration may receive from Congress the condemnation it deserves.

THROUGH ENGLISH EYES.

That military adventurer and Nicaraguan hero, Mr. William Walker, does not appear, through English eyes, so much of a man, to say nothing of his heroism, as he does through the eyes of his Southern partisans. The London *Times*, commenting upon his second advent into Nicaragua, remarks:

"The geographical situation of Nicaragua has made its chief settlements places of importance, and a number of traders of all nations are gaining an honest livelihood within its limits. And all the prospects of this country and its settlers are to be marred by an irruption of Southern *rowdies*, intent on nothing but plunder and means of idle indulgence. That the combined squadrons of the two nations will be able, with the co-operation of the Nicaraguan troops, to extirpate the whole brood, we most firmly hope. It is time that for such proceedings due retribution should be exacted; and if Walker, Henningsen, Anderson, and the rest, should on this occasion be treated as pirates and murderers, the world will have little cause to drop a tear of pity."

The *Times* will have long since learned that Walker has been saved the fate it suggests he deserves, by his own countrymen, but that *he is ungrateful for their kindness!*

The *Times* is also quite severe upon this Government, for its delinquency in allowing Walker to escape. We quote further:

"We cannot but think that the American authorities would have acted more creditably, had they frustrated this scandalous enterprise, which will now probaby result in fresh bloodshed and confusion. Whatever may be the constitutional position of the Federal Government, it is a mere affectation to say that it was unable to prevent a notorious ruffian like Walker from gathering together his band, addressing them in inflammatory speeches, avowing everywhere his designs on Nicaragua, and finally sailing from an American port with nearly 200 armed men. That the New Orleans mob sympathized with the adventurer, and that the law was not put in force to check him, are only what might be expected; but surely the President might have taken care that the vessel which conveyed him and his 'coffee planters' should be seized, in spite of so paltry a subterfuge as regular papers. The Saratoga, too, knew nothing of Walker till he landed; and the Wabash respected the steamer which the horde had just quitted, simply because it had complied with the usual formalities on leaving port! It is plain to the world that men in all ranks and in all positions have been afraid to incur the unpopularity of stopping the adventurer. A party in the States support him; and an active party is more powerful than an inert public. What is a friend to an enemy? The intelligence and even the numerical majority of Americans would approve the conduct of any man who drove Walker back to port, or seized his ship and stores; but no official, civil or military, has courage to face the anger of the unscrupulous and vindictive faction which speculates in 'Walker stock.'"

Philadelphia, Jan. 21.—The application of Miss Smith for the possession of her brother, Thomas Washington Smith, recently cleared of the charge of murder on the ground of insanity, was argued before the court this morning. Medical testimony was adduced, showing that his confinement in a lunatic asylum would result in his speedy death, while the careful attention of his friends would restore him to health. The court decided to give him to his sister, meanwhile placing him under bonds to the amount of $5,000. He will be taken to Newcastle county, Delaware.

☞ Some of the most sagacious members of Congress are of the opinion that the Calhoun Constitution will pass Congress, so great is the *buying* power of the Administration. We have still hope, however, that this result may be averted.

WASHINGTON ITEMS.

Mr. Hale's speech last week upon the Lecompton Constitution and the Dred Scott decision, in the Senate, attracted a great crowd in the galleries and lobbies, and he was listened to by the Senate with great attention. It was one of his best efforts.

One of the Deputies of the Sergeant-at-arms of the House has started for the neighborhood of Fort Snelling, and three others in different directions, to summon witnesses for the various investigating committees.

The President has issued a proclamation for the sale of a very large quantity of the public lands in Iowa in June and July next, at the various land offices in that State. Some of them lie on each side of the line of railroads.

It is contemplated by the War Department to dispatch Lieutenant General Scott to the Pacific coast, for the purpose of organizing a force against the Mormons from that quarter.

The bill introduced in the Senate by Senator Davis provides for adding to each regiment of dragoons, cavalry, infantry, and mounted riflemen, two full companies, and increasing the number of privates in each company of the entire force serving in the field or at distant frontier posts to a number not exceeding 96 men. Also, for an addition of fifteen assistant surgeons to the present medical staff.

The attempts of Administration publicists to swallow the Lecompton juggle are amusing. One of them, we quote from an exchange of character, says:

"The Territorial Legislature of Kansas, composed of the Free State men exclusively, *have recognised the Lecompton Convention as a legitimate body*, and a considerable portion of these men are members of the Topeka Legislature. The chief ground taken against the acceptance of the Lecompton Constitution is, that it is not legally constituted or organized; and, if the public bodies *representing the Free State party*, besides a large majority of the people of Kansas themselves, *have got over this objection*, it cannot be sustained in Congress. The Free State party in Kansas have certainly done much to embarrass their friends here in their opposition to the Lecompton Constitution."

The people of Kansas were urged to vote by many of the presses of the country now opposing the Lecompton swindle, said presses holding that by voting they *did not* recognise the authority of the Calhoun Convention. It is a quibble, or something worse, to say that a majority of the people of Kansas, or the Territorial Legislature, regard the Convention as legitimate.

The Hong Kong *Press* of the 21st of October, in speaking of the late success of Mr. Consul General Harris in negotiating his supplemental treaty with Japan, has the following just tribute to Commodore Perry: "Very great credit is due to Mr. Harris for the manner in which he has won over to himself the good wishes and feelings of the Japanese. The system of espionage, established on his first arrival, over, him is now entirely abolished, and he can roam when and where he will, unmolested and unwatched. But he attributes all his success in establishing such friendly relations with that people entirely to the great tact displayed by Commodore Perry in his intercourse with them, and the deportment which distinguished him throughout all the negotiations of the treaty."

The debates already had in Congress upon the Pacific Railroad question indicate that a majority of the members are in favor of that great project, and will vote against the extreme Southern route, which is the pet project of the Cabinet.

The correspondent of the New York *Times* remarks:

"It will be noticed that the Pacific railroad bill, reported to-day by Dr. Gwin, from the Senate's select committee on that subject, looks to the location of the road along the great Central Emigrant route. If this bill becomes a law, the Central is the route sure to be selected, unless it should prove to present insurmountable difficulties, which is not anticipated. I understand that the President prefers a different plan in some respects, which may result in some collision in Congress, but is not likely to jeopardize the measure. Mr. Buchanan is in favor of a direct appropriation of say ten millions of dollars, and liberal grants of land, for the construction of a military (rail-) road through the Territories alone, to connect the States of the Atlantic with California. If this plan should be adopted, it would inevitably make the road over the Southern route, *via* El Paso, on the western boundary of Texas, and the mouth of the Gila River—for that is the point at which California comes nearer to an Atlantic State than at any other. For this reason, it will be earnestly advocated by Southern men, and as stoutly opposed throughout the North and West. I should judge that the bill reported by the committee will pass, without material modification."

A SOUTHERN VIEW.

The Charleston *Mercury* has an intelligent lively, and positive Washington correspondent, who is revealing to his South Carolina readers some important secrets, while his opinions on certain Congressional measures are not without their value. He says:

"*It is clear that Kansas can only be admitted through the active and determined support of the Administration, and but for this the President would have been more roughly handled in the late debate, both in the House and Senate, upon the connection of the Administration with the unlawful capture of General Walker upon the soil of Nicaragua by Commodore Paulding.* The Administration is now weak, and the Southern men are very anxious to strengthen it, *so as to make its efforts in behalf of the admission of Kansas, under the Lecompton Constitution, more influential.* This will account for their ignoring other issues in which they differ from the President.

"Mr. Buchanan has been fighting against the South all summer, in resolute and desperate efforts to make Kansas a free State, and Judge Douglas has been siding with the South in insisting upon the legality of the acts of the Territorial Legislature, and upon the sovereignty of the Convention. And now, what a change of position between them! Mr. Buchanan is with the South, and Judge Douglas is with the Black Republicans. Both have changed. Mr. Buchanan did, last summer, write a letter to Governor Walker, in which he said to him, '*You must use all your influence to have the Constitution referred back to the people for ratification or rejection; upon this, you and I must stand or fall.*' This letter will soon be published. Judge Douglas, last summer, in his speech at Springfield, urged the sovereignty of the Convention, and its right to determine absolutely upon the Constitution of Kansas. His change is explicable. *Free-Soilism is omnipotent at the North, and the admission of Kansas with a Pro-Slavery Constitution will be the destruction of the Democratic Party.* As one of its leaders, he will fall with it. To prevent this, he is struggling to Abolitionize the Democratic Party. He is influenced by still another consideration. He has been a candidate for the Presidency since 1848. The North has had two Presidents in succession, and the South will not tolerate the nomination of the next one from that section by the Democracy. This postpones Judge Douglas for seven years longer. A great cycle this, in the life of a man now a-days. Douglas, then, is for change, confusion, anarchy, in order to advance himself. He is now appealing to the 'Free North,' and is preparing the way for a sectional fight."

The writer goes on to predict that the next House of Representatives will be Republican, and closes by asking what he means to be a significant question—"*In 1860, we shall see—what?*" See an Anti-Slavery President, to be sure, nervous friend! And, we trust, an honest, just, and generous administration of the Government.

This letter shows that the Extremists, who are for forcing the Lecompton fraud through Congress, expect that it will cost the Democracy power and position. They well know that its passage through Congress must sacrifice the Northern Democracy. Why then press it? Why—unless it be to invite disunion and the formation of a Southern Republic? Does Mr. Buchanan commit himself to such a policy?

☞ If Lecompton be accepted in Congress, what will the people of Kansas do? This question is often asked. A well-informed gentleman from Kansas says, that in this event, Calhoun will give certificates to the Pro-Slavery representatives, who will meet in some house at midnight, and send Calhoun and one of his confederates to the United States Senate, where they will be welcome. The Free State men will not allow the Pro-Slavery Legislature to meet in open day, and will probably drive all participants in the Calhoun Convention from the Territory.

In Trouble.—The Indiana Democracy is in trouble—as any Democracy must be which is cared for by the Indiana Senators. A call for a mass Convention has been issued at Indianapolis, to place the Democratic party of that State on the Douglas platform. The call closes with the following language:

"The naked question with Democrats in Indiana is, 'Are we in favor of contributing to force the Constitution with Slavery upon the people of Kansas against their will? If we are, our party will be overwhelmed with defeat. Whilst we cordially endorse the Administration, and generally are willing to tolerate a divided opinion, we ask our Democratic brethren not to risk defeat by deserting those principles which have led us to victory in the past, and the abandonment of which will doom us to defeat in the future."

These are signals of distress! There is no mistaking them. Even in Indiana, the Democracy tremble for the issue, if Kansas comes into the Union under the Calhoun Constitution.

Significant.—The *States*, a daily journal published in Washington, on Saturday evening contained an important and significant editorial. It admits that fraudulent votes were cast in the late election in Kansas upon the Lecompton Constitution, that the people of Kansas don't want that document forced upon them by Congress, and concludes that these facts give an entirely new aspect to the Kansas question. It is rumored, since the publication of this article, that the *States* will support Senator Douglas and friends "hereafter."

Exhibition.—The Columbia Institute for the Deaf, Dumb, and Blind, held an exhibition in the old Hall of Representatives last week, Thursday evening. The Hon. Amos Kendall, the President, took the chair, and Mr. Gallaudet, the Principal, delivered a very interesting address; after which, the pupils were examined, with a view to show their proficiency in sign language. The blind also read from books printed with raised letters, and the evening passed off pleasantly, leaving an excellent impression upon the minds of the great crowd present.

FROM KANSAS.

Lecompton, *Dec.* 29, 1857.

To the Editor of the National Era:

In accordance with my promise, I send you a few lines in reference to the present condition of Kansas. Before doing so, I would simply state, I moved to this Territory nearly three months since, that a better opportunity might be afforded a rising family of boys to secure homes in a new country. I have seen and suffered much in this distracted Territory. So conservative has been my course, that not a few of my ardent Free State friends almost charged me with being a Pro-Slavery man.

Well, now, we—nine-tenths of the people of Kansas—are maddened almost to desperation; and I may in truth almost say, a war of complete extermination is commenced against the men who have attempted to make us slaves, by forcing on us a Constitution we abhor. Those having the means are sending their wives and children out of the Territory, while their husbands and fathers remain to contend manfully for their rights. We still hope to be able to restrain the masses from extreme measures, until we learn what Congress will do in the case. As for the President and his office-holders, they have no more influence in Kansas than an Irish tin pedlar.

Very few votes were cast against the Slavery clause in the Lecompton swindle, and those few were generally cast by Federal office-holders and those in their employ. The country at large, as well as us, were informed by the President that special instructions were sent to guard the polls on the 21st. Well, sir, there was not even an attempt made to protect the polls on that day from foreign interference or internal fraud. The result has been, it was one among the most fraudulent elections ever held, even in Kansas. As a sample of their fraud in Lecompton, one precinct out of four in Douglas county, they returned one hundred and thirty votes cast, thirty of which were against the Slavery clause. Those voting against the Slavery clause in Lecompton were mostly officers in the surveyor's and land offices and their assistants. Well, sir, last October, a number of Free State Democrats voted with the Disunion gentry, and, lo! they polled one hundred and eighteen votes in the whole county! When the Free State Democrats voted with them at Willow Springs, (another precinct in Douglas county,) thirty-seven votes were cast—thirty-five for the Constitution with Slavery, and two against the Slavery clause. In Lawrence and Bloomington precincts, no votes were polled—not because (as has been falsely reported by the Disunion Nullifiers) the people were afraid to attend the polls; the polls were open in both precincts, and every citizen permitted to vote, without a shadow of interference—but for the reason that Colonel Eldridge assigned to Acting Governor Denver, when the Governor informed the Colonel he heard such a report. It is not true, I assure you, Governor; it is not true. The reason was, the people were *ashamed to vote such a ticket.* But to return, Governor, to the business on hand. I want the arms the Government stole from me, more than a year since. But the complete success of Colonel Eldridge in regaining possession of *his property*, you will learn before this reaches you.

The Free State men are not idle, I assure you, in preparing for any emergency. But their ardent desire and hope is, that Congress will interpose between a faithless President and his advisers and an oppressed people, who ask nothing more than their right to form such a system of Government as they may conceive will best promote their interest.

IOWA CORRESPONDENCE.

Le Claire, Iowa, *Jan.* 18, 1858.

To the Editor of the National Era:

Unlike most of her sister States, Iowa has had no banks of issue, but has depended on her neighbors for a supply of paper money—so that the suspension of Eastern banks, and the consequent withdrawal of their circulation, with the continued demand for specie to pay Eastern debts, has well nigh deprived her of a circulating medium. To meet this scarcity, numerous plans have been resorted to. Keokuk, Burlington, and other places, have issued city scrip; at Dubuque, the Harbor Company have issued their notes, payable in one year; and the wants of Davenport and surrounding country have been met by the issues of the "Bank of Florence" and checks of Burrows & Prettyman—the latter an old-established mercantile firm of undoubted solvency, and the former an institution located in Nebraska, but really owned in Davenport.

The parties issuing both these descriptions of "*money*" are technically *good*—that is, they have real estate and other property enough to guaranty the final redemption of all their promises. But their notes are only *good* at home, and can be available to pay Eastern obligations only by paying a premium of ten per cent. for Eastern notes, or sixteen per cent. for exchange. This of course bears heavy on all mercantile men. In all our cities, *shinplasters* of ten cents and upwards, "redeemable in currency, when presented in sums of one dollar and upwards," have been abundant. But the merchants of Davenport have pledged themselves to refuse all such after this date; and it is to be hoped that those of other cities will follow their example, and these fractional nuisances be soon numbered with the things that were.

This want of a reliable circulating medium is sorely felt by all classes. At every point are large quantities of produce, awaiting the approach of spring and money.

The low price of grain, and the consequent disarrangement of the calculations of those who plunged into debt, hoping for high prices to float them out, will compel many to sell a part of their encumbered land to save the rest; so that, in some instances at least, sacrifices will be made.

We are having a remarkable winter. In the middle of November, Boreas came down on us with ice and snow in good earnest, closed the "Father of Waters," and gave us intimations of a continuation of Northwest *breezes* for many days. But he changed his course Southward, and for more than a month has been supplying us with the balmy air of a winter rarely found north of the Ohio.

Instead of our wonted winter bond of union with our Illinois friends, we have masses of floating ice, which at times only steam ferry-boats can work through.

Last Monday, the Legislature of this State convened at Des Moines, the new capital, and the newly-elected Governor (Ralph P. Lowe) was inaugurated on the 13th instant. His Inaugural is a credit to the office and the State. It recommends measures for the development of the agricultural interests of the State; the passage of a banking law, with a clause prohibiting issues in less sums than five dollars; and condemns the Dred Scott decision, in unmeasured terms.

Ex Governor Grimes's message is an able document, and will but heighten the admiration of our citizens at the manner in which he has performed his duties, and increase their regret that he declined a re-election.

Among the important duties of the Legislature, will be, the election of United States Senator. The choice will doubtless fall on ex-Governor Grimes or the Hon. James Thorington, ex-member of Congress—both true and reliable opponents of Slavery extension.

Yours, E. K.

ELECTION RETURNS FROM KANSAS.

Proclamation.

In accordance with the provisions of an act entitled "An act submitting the Constitution framed at Lecompton, under the act of the Legislative Assembly of Kansas Territory, entitled 'An act to provide for taking a census and election of delegates to a Convention,' passed February 19, A. D. 1857," the undersigned announce the following as the official vote of the people of Kansas Territory on the questions as therein submitted, on the 4th day of January, 1858.

[We print simply the aggregate results.—*Ed. Era.*]

Against the Constitution framed at Lecompton, 10,226; for the Constitution framed at Lecompton, with Slavery, 138; for the Constitution framed at Lecompton, without Slavery, 24.

Some precincts have not yet sent in their returns, but the above is the complete vote received to this date.

J. W. Denver,
Secretary and Acting Governor.
C. W. Babcock,
President of the Council.
G. W. Deitzler,
Speaker of House of Representatives.

Returns for State Officers and Legislature.

Lawrence, Kansas, *Jan.* 14, 1858.

To the People of Kansas:

The undersigned received on the 12th instant the following letter from the President of the late Constitutional Convention.

Lecompton, *Jan.* 12, 1858.

C. W. Babcock, President of Council of the Territorial Legislature; G. W. Deitzler, Speaker of House;

Gentlemen: The election returns of the elections holden on the 21st day of December, 1857, and the 4th day of January, 1858, under the Constitution known as the Lecompton Constitution, will be opened to-morrow at 12 o'clock, M., at the office of the Surveyor General, in this place, and you are respectfully requested to be present on the occasion and witness the returns.

Very respectfully, your obedient servant,
John Calhoun,
President of the Convention.

In obedience to the polite invitation of Mr. Calhoun, we attended on the day and at the time specified, and witnessed the opening of said returns, examined the poll books, noted the number of votes for and against the single proposition submitted by the schedule of the Constitution, and find the following to be the result:

Constitution with Slavery	6,143
Constitution with no Slavery	569
Majority	5,574

More than one-half of this majority was cast at those very sparingly settled precincts in the Territory, two of them in the Shawnee Reserve, on lands not open for settlement, viz:

Oxford, Johnson county	1,266
Shawnee	729
Kickapoo, Leavenworth county	1,017
Total	3,012

From our own personal knowledge of the settlements in and around the above places, we have no hesitation in saying that the great bulk of these votes were fraudulent; and, taking into view other palpable but less important frauds, we feel safe in saying, that of the whole votes polled, not over two thousand were legal votes polled by citizens of the Territory.

On the State ticket the vote as returned stands as follows:

Smith, Gov.	Roberts, Lt Gov.	Schuyler, Sec. State.	Mead, Treas.	Goodin, Auditor.	Parrot, Cong.
FREE-STATE.					
6238	6310	6230	6248	6176	6623
Returns received since.					
637	637	637	637	637	637
6875	6947	6867	6885	6813	7260
PRO-SLAVERY.					
6539	6440	6560	6508	6503	6568
Returns received since.					
6	6	6	6	6	6
6546	6446	6566	6514	6509	6574
Free State majorities.					
330	501	301	371	304	696

Of the votes polled by the Pro-Slavery ticket, the three very prolific precincts aboved quoted polled as follows:

Oxford, Johnson county	738
Shawnee, Johnson county	889
Kickapoo, Leavenworth county	952
Aggregate	2579

To which, if we add the manifest frauds in other places, we shall have an aggregate of more than 3,000.

For the State Legislature, the vote elects as follows, counting, as above, all the fraudulent votes cast, viz:

In the House of Representatives:

Free State	29
Pro-Slavery	15

In the Senate, the vote stood as follows:

Free State	13
Pro-Slavery	6

[We give merely the aggregates.]

In Linn county, at the Mound City polls, the ballot-box was forcibly taken and destroyed by a mob under the command of Montgomery, who professes to be a Free State man, after about one hundred votes (all Free State) had been cast, by which we lose two Representatives and one Senator.

Thus it will be seen that we have triumphed against a most miserable and wicked apportionment and an election law designed to open the door to frauds, and under which frauds the most manifest and unmistakable have been perpetrated, to the extent of three or four thousand votes.

This triumph was accomplished by a party greatly distracted on the subject of voting under a Constitution that they hate and loathe and abhor to the centre of their hearts, with a short and imperfect notice, that failed to reach many of the more distant districts. These causes together, it is safe to say, reduced the Free State vote to the extent of five thousand votes.

Very respectfully, your obedient servants,
C. W. Babcock,
President of the Council.
G. W. Deitzler,
Speaker of the House.

St. Louis, Jan. 21.—The *Democrat* publishes the official returns of the recent Kansas elections, over the signature of Governor Denver, as follows: Constitution "with Slavery" 6,143; "without Slavery" 5,069. At the election of the 4th instant, all the Free State officers were elected by an average majority of 415. The Senate stands 13 Free State men to 6 Democrats; the House 29 Free State men to 15 Democrats. The majority against the Constitution, at the same election, was 10,220, the alleged frauds in Oxford, Shawnee, and Kickapoo, being counted.

LATEST FROM KANSAS.

St. Louis, January 25.—A gentleman, from Leavenworth on the 20th, arrived here this evening. He travelled portions of the way with the bearer of dispatches from Calhoun to members of the Cabinet at Washington, the tenor of which, as derived from the messenger, is, that Calhoun rejected the returns sent to Gov. Denver instead of himself, on the ground that under the Lecompton schedule they are illegal. This gives the State officers to the Democrats, and also one majority to the Council on joint ballot.

Mr. Stover, a Democratic member of the Legislature, was shot in the stage, near Lawrence, and will probably die.

For the National Era.

HOW THE FRENCH ARE GOVERNED.

Extract from a letter of a Washingtonian, dated Paris, December 23, 1857.

An American coming to Paris is surprised to find how many methods are resorted to for raising a revenue. Every article of food has to pay duty at the barriers before it is admitted into the city; and after its arrival, its distribution, and often its price, are fixed by law. Everything is regulated by the Government, and the great aim appears to be, to have each trade and business so centralized as to be as much as possible under its control. There is not much chance for individual enterprise, as everything is done by means of joint stock companies. All the stock-jobbing is done by the *Crédit Mobilier;* all the omnibuses in the city are owned by one company; and nearly all the hacks by another. And so they carry this system into every branch of business. Many of these companies are monopolies, for which they pay the city a handsome bonus. All the funerals in Paris are managed by a single company, called the "*Enterprise des Pompes Funèbres,*" which pays the Government 15 per cent. on the price of all articles furnished. The funerals are divided into seven classes, according to the price paid—the lowest costing about eighteen or twenty francs, and from that sum up to four or five thousand francs.

I suppose there is not a better governed or more quiet community in the world than that of Paris, in ordinary times. The system is so perfect, that a man who grows up under it becomes almost a machine. A Frenchman goes through the world in peace, and respects the rights of his neighbors, not from any moral considerations, but from the certainty that if he violates any of them he will be detected and punished. There is one subject which is a forbidden topic of conversation to Frenchmen under their present rules, and that is, politics. In the cafés and restaurants you never hear a remark made about the Government, as it would subject one to arrest at any moment. A few days since, the newspaper "*La Presse*" was suspended for six months on account of an article which appeared in its columns.

I have been trying for some time to find out what has been the effect of the commercial crisis upon the manufacturing interests of France, but the facts are so completely concealed by the Government that I can learn nothing. A person living in Paris, unless he has unusual means of acquiring information, knows less of the actual condition of affairs than a merchant in New York or London.

The other day, a man appeared at the Bourse, and said that half of the workmen in Lyons were out of employment, and had threatened violence unless they were supplied with bread. The man was immediately arrested and sentenced to a month's imprisonment, and to pay a fine of one thousand francs, for "maliciously circulating a false report."

Railroads of the United States.

The following table of the number of miles opened, and cost of railroads in the United States is compiled from the *American Railway Guide:*

	Miles opened.	Expenditures.
Maine	541½	$17,963 667
New Hampshire	659½	17 597.703
Vermont	521½	20 523 998
Massachusetts	1,283½	63 384,310
Rhode Island	63½	2,586,512
Connecticut	647¾	24 348,963
Total 6 N. E. States	3.617	$146 805,168
New York	2,700¾	$103,407,268
New Jersey	509¾	24,825,970
Pennsylvania	2,773¼	135,166,609
Delaware	91¾	1,619,310
Maryland	793¾	44,357,831
Total 5 Middle States	6.893¼	$309 376.488
Virginia	1,321¾	$37,705,049
North Carolina	675	11,126,486
South Carolina	748½	17,601,944
Georgia	1,185½	24,952,153
Florida	128	3,500,000
Total 5 South'n States	4,058½	$94.885 632
Alabama	558¾	$15,253,771
Mississippi	177	5,515,009
Louisiana	335	11,032 362
Texas	147	5,000,000
Arkansas	38½	775,000
Tennessee	887½	19,350,390
Kentucky	304½	10,197,414
Total 7 S. W. States	1.438½	$67 123,946
Ohio	2,798¼	$106,043,338
Indiana	1,231	28,807,276
Michigan	999	30,390,853
Illinois	2,616	86,446,291
Wisconsin	718	19,295,87¾
Iowa	256	9,087,529
Missouri	217	19,140,247
Total 7 N. W. States	8,935½	$299,205,371
California	22½	750,000
Grand total	25,965¾	$918,146,600

	Miles.
Total length of lines, as opened	25,965¾
Total length of lines, as projected	35,137

The new roads fully opened to business in 1857, were—

	Miles.		Miles.
New England	73	Northwestern	747
Middle States	328	California	none.
Southern	412		
Southwestern	645	Total miles	2,205

The following table shows the progress of American railways since the first one was opened in this country:

Years.	Miles.	Years.	Miles.
1828, Jan. 1	3	1844	4,311
1829	28	1845	4,511
1830	41	1846	4,870
1831	54	1847	5,336
1832	131	1848	5,682
1833	570	1849	6,350
1834	762	1850	7,355
1835	918	1851	9,090
1836	1,102	1852	11,631
1837	1,412	1853	13,370
1838	1,843	1854	16.038
1839	1,900	1855	18 864
1840	2,167	1856	21,069
1841	3,319	1857	24,476
1842	3,877	1858, Jan. 1	25,965
1843	4,174		

FURTHER FOREIGN NEWS.

New York, Jan. 24.—The Europa brings no tidings of the Ariel, the safety of which is now involved in serious doubt, from the fact that she was never regarded as a thorough sea-going vessel. She was built for the California trade, and scarcely capable of contending with the disastrous gales reported by the recent arrivals.

The general intelligence from Europe is the most important for several months, embracing India news, important financial and commercial intelligence, and the decease of a number of prominent personages.

The European *Times* says the Indian news startled the whole country. Annexed is the official dispatch:

"*Malta, Jan.* 6.—The steamer Caradoc has arrived, with important intelligence from India. General Havelock died on the 25th November, of dysentery, brought on by exposure and anxiety. On the 27th November, an affair took place near Cawnpore, between General Windham's division and the Gwalior mutineers, in which the British troops retreated, with the total loss of the tents of the sixty-fourth, the eighty-second, and eighty-eighth regiments, three thousand in number, which were entirely burned by the enemy. The sixty-fourth regiment is reported as nearly cut up."

A message received by the Governor General, from Sir Colin Campbell, on the 7th of December, contains an account of the previous action, fought by him, with the Gwalior contingent, near Cawnpore, in which the latter was totally defeated, with the loss of sixteen guns, twenty-six carriages of different sorts, an immense quantity of ammunition, stores, grain, bullocks and the whole baggage of their force. The British loss was insignificant. One officer only was killed, viz: Lieut. Salmon. All the women, children, sick, &c., from Lucknow, had arrived in safety at Alahabad.

The Calcutta *Gazette* Extraordinary contains a deeply interesting detailed account of the defence of Lucknow, being the official report of Brigadier English. The privations endured by the heroic garrison, and particularly by the ladies, were fearful.

The London *Gazette*, in reviewing the above news, says: "The Gwalior contingent is known to have been the most formidable body of troops in arms against the British Government in India. It was a disciplined, effective force of 8,000 men, complete in organization and details. The blow which has been struck by Sir Colin Campbell has probably scattered this formidable force, on which the insurgents of Central India chiefly relied. The commander-in-chief will now be enabled to operate against the Oude insurgents, of whom he will doubtless give as good an account as he has of the Gwalior mutineers."

It is rumored that an Indian loan of six to eight millions will be proposed immediately on the assembling of Parliament.

The total bullion in the bank of England is £12,113,000, and a reduction of the rate of interest to five per cent. is shortly anticipated. The London *Times* of the 9th says that choice paper is negotiated at 4½ a 5 per cent, and loans on Government securities at 3 per cent. Consols had advanced 1 per cent. during the week. There were no failures in connection with the American trade, and few anywhere.

The continental advices were very encouraging.

The produce markets in all directions were active, at higher prices. Cotton closed less buoyant, in consequence of Manchester not responding fully to the improvement at Liverpool.

The papers contain extended obituary notices of Generals Havelock, Radetzky, Reschid Pacha, and Madame Rachel. The latter died at her estate of Cannes, aged thirty-eight. Shortly before her decease, she divided her fortune equally between her children and her parents. Her funeral took place at Paris on Saturday.

Field Marshal Radetzky, the Wellington of Austria, died at Milan on the 5th, of paralysis of the lungs, aged ninety.

Reschid Pacha, Grand Vizier of Turkey, died of apoplexy on the 6th. The *Times* says that in his death Turkey lost an able administrator—one who was capable of retrieving her finances, extending her commerce, and whose high position made it easy for the Cabinet to deal with the rival pretensions of European Powers.

All hopes of the recovery of the King of Prussia had disappeared. He has lost his intellect, and rumor says that he will abdicate in favor of Prince Frederick, as the latter is about to marry the Princess Royal of England. She will, in the event of his abdication, become Queen of Prussia.

The Lost Steamship Pacific.

The bottle picked up.—Some time since, we published an account of the discovery of a bottle which had floated ashore on the coast of France, containing a paper purporting to have been written by a passenger on board the Collins steamship Pacific, just as she was going down. This story was supposed to be a hoax, but there is another chapter of it. The editor of the Norwalk (Conn.) *Gazette*, believing that the paper was written by Legrand Smith, of Norwalk, a passenger on the steamer, wrote at once to a friend in Paris, Dr. Evans, to make inquires about the affair, and especially the handwriting of the note found. By the Africa an answer was received, in which Dr. Evans says that he feels there can be no doubt about it. He had obtained possession of the slip of paper found, and states the circumstances as follows:

"I was on a professional visit to the Empress the other day; and in conversation mentioned the subject, in which she became most intensely interested. The Emperor here entering, the Empress said: 'My dear, Dr. Evans has been telling me of the possibility of ascertaining the fate of the Pacific;' then repeating what I had said regarding the receipt of your letter, &c. The Emperor, who is a man of noble heart, at once entered into the details of the subject. Upon my relating it to him, he said it interested him exceedingly, and he would immediately send for the scrip of paper. He being a very prompt man, and full of kindly feeling, did so, and sent me, directed by himself and sealed with his own private stamp, the said paper, which I now have in my possession, and which is acknowledged, by all who have seen it, to be an American's handwriting. It is *hastily written in pencil.*

"Now I wish to obtain, through you, his own handwriting, to compare with what I have, as of course I cannot send you the original, but will have a *fac simile* taken, if possible, to send you."

The *Gazette* anticipates that further investigation will decide the question, beyond doubt, as to the genuineness of this curious waif. The friends of the lost Smith are, as may be expected, greatly interested in the result.

The Portsmouth (Va.) *Transcript* has the following account of a shocking affair, which was briefly alluded to yesterday, as having occurred in Gates county, N. C.

"On Monday afternoon, a negro man belonging to Mr. Seth Benton, of North Carolina, who had been hired out to work on a railroad, was to have left Holy Neck, in Nansemond county, on that day, with a number of others, for the place of his labor, but on the departure of the gang he managed to be left behind. Shortly after, he proceeded to the house of Mrs. Holland, a widow lady, whom he murdered. He then went towards the residence of Mr. Whitwell Jones, but meeting him a short distance from his house, killed him also, and with a large club mangled his head in a shocking manner. He afterwards made for the house of Mr. Uriah Rawls, where he would doubtless have destroyed a whole family, had they not been apprised of his coming. Mr. Rawls went out with a double-barreled gun, and as the negro approached he fired, but the charge being of small shot, it did not stop him, and Mr. Rawls discharged the other barrel with no better effect. The savage then pursued him, and was just upon his heels, when Mr. Rawls suddenly turned and struck him a severe blow with the breech of the gun, which felled him to the ground apparently lifeless. He, however, revived in a short time, arose and ran across an adjoining field, when he discovered another woman, Mrs. Rowel, but she succeeded in making her escape from him. By this time the alarm had spread through the neighborhod, and the negro was pursued by several persons well armed. He made for the swamp, and attempted to hide himself, but was finally overtaken and shot. The excitement created in all that region was intense. The news spread rapidly from house to house, and it was supposed that a general insurrection had commenced. Messengers were sent in various directions. The people turned out in large numbers, and repaired in haste to the several points where it was supposed their services might be needed.

It appears from a journal of a European traveller that a new and fearful mode of execution has been adopted by the King of Delhi. The instrument and process are thus described:

"A box, each side of which is fifteen feet square, is constructed of timber eighteen inches thick, dovetailed together and braced with iron rods. The outside of the bottom of the box is covered with a plate of beaten iron, one inch in thickness. The interior is filled with perfect cubes of granite, weighing in the aggregate several thousand tons. A machine is erected after the manner of an ordinary pile-driver, but of course on an enormous scale, and of tremendous strength. The mass is raised by powerful machinery, cast in Birmingham for the express purpose, though it is to be presumed that the machinist by whom it was furnished had no idea of the horrid purpose for which it was intended. The human victim is placed upon a block of granite, of a corresponding surface, buried in the earth immediately beneath the enormous mass, and covered with a plate of iron. At a signal given by the vicramadack, the executioner touches a spring, the mass falls, and the victim, crushed at once, is suddenly annihilated and spread out like a sheet of pasteboard! The huge weight being again raised, the flattened body is withdrawn and dried in the sun. When completely prepared, it is hung over the wall of a public building, there to serve as a warning to the multitude."

The probable expense of the Utah expedition may be judged of by the estimate yesterday submitted for subsistence stores of the Utah expedition for eight months. This item, small in comparison with transportation and other expenses, is over a million and a quarter. The estimate referred to is based on the army orders of the 11th of January, and provides for eight thousand souls in the expedition, about five thousand six hundred of which will be troops. The present expedition, civil and military, embracing steamers, employees, servants &c., numbers about three thousand, and the transportation, and subsistence for the same, up to the present time, amounts to a large sum—how much we may know when the deficiency bill shall be reported.

The Colonization Society have recommended to the Government, as a means for promoting the suppression of the slave trade, the employment of more steamers on the coast of Africa, instead of sailing ships. The officers of the United States navy employed on the coast of Africa have urgently recommended the same. The British Government employs some steamers of great swiftness and light draft for that purpose, and one of them has recently captured no less than six slavers, some of them American.

From a notice of Surgeon General Lawson's report in the American Journal of the Medical Sciences, it is ascertained that the tallest men enlisted in the United States army are from the State of Georgia, where, out of one hundred enlisted, thirty were six feet and over; while the shortest men are from New York, where only four out of one hundred were six feet. The tallest recruit from Georgia was six feet six and a half inches, and the mean height of the recruits thence was five feet eight inches. The tallest enlisted man from New York was six feet one and a half inches, and the mean height of New York recruits was five feet six inches. The Southern and Western States produce the tallest men, and the Middle and Eastern States the shortest.

The *Philadelphia Bulletin* learns from inquiry into the condition of the ice-houses along the Schuylkill, that, with some rare exceptions, but little stock remains on hand. The largest establishment has only about four hundred tons; some have five or six tons each, while others have none at all.

In the New York ice-houses, the stock rarely, if ever, runs out; and it is not unusual to find ice in them that is four or five years old. They have on hand, now, about half a supply.

The Boston ice-dealers propose sending out steam-tugs to the Banks, for the purpose of towing in a few icebergs, to fill their ice houses. The Bostonians are an ingenious people, and, having many local advantages that New Yorkers have not, know how to improve them.

Both branches of the Virginia Legislature have passed a bill providing for the conveyance to the State of Virginia of the *birthplace* of Washington, and the home and graves of his progenitors in America. The adoption of this measure may be regarded as a patriotic prelude to the consummation of the noble enterprise in which the Ladies' Mount Vernon Association is engaged. The bill appropriates $5,000, to enclose the places with an iron fence, and to erect substantial tablets, to "commemorate for the rising generation those notable spots," as required by Lewis W. Washington, in his offer of conveyance.

M. Gaillardet, writing from Paris to the *Courrier des Etats Unis*, says:

"The diplomatic record has been enlivened by the accounts given in letters from Berlin of the mode of life of Mr. Wright, the new minister of the United States at the Prussian Court. As he belongs to the Temperance Society, he gives nothing to drink but water to his guests when he invites them to dine. He sets before them dishes of maize, which is compared to the black broth of the Spartans, and much amusement is afforded by his going to market himself to purchase his simple food."

Detroit, Jan. 21.—An extra session of the State Legislature convened yesterday at Lansing. The exigencies demanding a special session, as stated in the Governor's message, were: A revision of the judicial districts of the State, so as to include certain counties which have been left destitute of means for the collection of debts and punishment of crimes; some provision for deficiencies in the finances of the State, which he proposes to meet by a temporary loan of $50,000, and, if necessary, the issue and sale of new stocks sufficient to redeem those falling due this year. He also recommends an appropriation for repairs to the St. Marie ship canal, made necessary by damages sustained during the past navigation season. The Governor approves the action of the commissioner of the land office in withholding the swamp lands from sale, and favors the reduction of the price of public lands, and condemns the action of the Federal Government relating to Kansas affairs.

The work on the United States steam frigate Niagara, at the Brooklyn navy yard, is being prosecuted with unequalled vigor. Her decks present a perfect hive of carpenters, caulkers, riggers, &c., all actively engaged in their respective vocations; while below, in her engine-room, engineers are busy night and day, making such alterations and repairs in her machinery as will better facilitate, both in time and speed, her coming undertaking of laying the Atlantic submarine cable. She is likewise being thoroughly caulked outside as far as the water-line. In fact it seems, from present indications, that every precaution will be taken, by the officers in charge of the work of refitting her, to remedy every possible evil that she may have had before, and at once fit her for her coming mission in the spring, without her having to undergo the inconveniences that were consequent on her previous bad internal arrangement.

From the report of the State Auditor of Iowa for the fiscal year ending Nov. 1, 1857, we learn that the receipts into the State Treasury for that period, including the amount on hand at the commencement of the year, were $255,327.75. The disbursements during the same time were $241,145.05, leaving a balance in the Treasury of $14,182.70. The total liabilities of the State are $293,843.98. Estimated resources for 1857 and 1858, $953,771.96; estimated expenditures for the same time, $523,412.70; leaving a balance in the Treasury of $430,359.06. The taxable property of the State, in 1857, was assessed at $210,044,583; in 1856 it was $164,394,413.

Col. Benton appears on the avenue almost every afternoon, between four and five o'clock. He sits as erect upon his beautiful jet black horse as he did twenty years ago. His literary labors seem to have invigorated him physically and mentally. He continues to work industriously, as he says, because idleness is so tiresome. The remarkable powers of his memory are not impaired at all by his great age. The impetuosity of his character still bursts forth when a subject interesting to him is introduced. The bright eye, compressed lip and clenched hand raised, remind one of Old Bullion of the Senate, and cause regret that he is not there now to influence its action, as of old, with his inflexible will and clear judgment.—*Washington Letter.*

Harrisburg, Jan. 21.—Both branches of the Legislature adjourned early to-day, to give the members an opportunity to escort Ex-Governor Pollock to the cars, on his departure for home at noon. The members of the new Administration, and of both Houses, waited on the Ex-Governor at his lodgings, and bid him farewell. He made an appropriate and feeling parting address to all present, before his departure. He was escorted to the cars, and took his departure amid many manifestations of respect. An excellent feeling was evinced between the outgoing and incoming Administrations, and the usual courtesies were extended.

There is a bill before the New York Legislature, of which the following is the substance:

Section 1. No grant, transfer, bond, note, bill of exchange, contract, or agreement, or loan or forbearance of any money, goods, or things in action, shall be void by reason of any paying or receiving, or agreeing to pay, such rate of interest as the parties may agree upon.'

Sec. 2. That in all cases where the rate of interest is not mentioned, it shall be deemed and taken at the rate of 7 per cent.

Sec. 3. No more than 7 per cent. to be charged on any judgment rendered after date of rendition.

On Tuesday morning, the works of Russell & Erwin, the extensive hardware manufacturers, at New Britain, resumed business. They recommence with 200 hands, which number will be increased if business warrants it. This was the first sound of a factory whistle heard in New Britain for about two months, and they have quite a number of factories there. The sign is encouraging for better times.—*Hartford Times, Jan.* 20.

According to a Parliamentary return, it appears that in 1856 the number of seamen and boys flogged in Her Majesty's navy was 1,397; the total number of lashes inflicted was 44,492; the highest number given to any culprit was 50, and the lowest 1. The greatest amount of flogging appears to have taken place on board the Royal Albert, in which ship twenty-one seamen received 900 lashes.

A letter to the New York *Journal of Commerce*, dated Havana, January 9, says: "Santa Anna arrived here several days since, *incognito*, and we are not advised of his farther plans. He has not been in public, and there is a mysterious silence about the matter that puzzles the curious in Mexican affairs. It is not generally believed that he is here; but I have the knowledge from an undoubted source. Perhaps the original plan is not entirely given up as to the invasion of Mexico, and the old chief is to bear the rallying standard for Spanish satisfaction; while, with Spanish aid, he may once more guide the fortunes of Mexico and recuperate his own, which have been somewhat wasted by several years' idleness. Whatever may be the cause of this secret visit and concealed residence among us, it may be well that those most interested should know of the foreshadow, looking certainly towards Mexico, and a recall by his faction, whose agents have been busy in this quarter for the last year or more."

During the recent session of the Mississippi Conference, at Brandon, Bishop Early presented the resolutions of the Alabama Conference, recommending the striking out of the general rule against "selling men, women, and children," &c. The Conference concurred in the amendment by a vote of seventy to seven.

MARRIAGES.

In Washington city, on the 21st of January, by the Rev. T. N. Haskell, James L. Gray, Esq., of Texas, to Miss Catherine, daughter of James Clephane, Esq., of the former place.

In Washington city, on the 5th of January, by the Rev. G. W. Samson, Mr. Arthur Witzleben to Miss Isabella Cudlipp, all of this city.

MARKETS.

BALTIMORE MARKET.

Carefully prepared to Tuesday, January 26, 1858.

Flour, Howard Street	$4.62	@ 0.00
Flour, City Mills	4.56½	@ 0 00
Rye Flour	3.00	@ 3.25
Corn Meal	3.25	@ 0.00
Wheat, white	1.13	@ 1.30
Wheat, red	1.05	@ 1.11
Corn, white	58	@ 60
Corn, yellow	56	@ 60
Rye, Pennsylvania	75	@ 78
Rye, Virginia	68	@ 70
Oats, Maryland and Virginia	30	@ 32
Oats, Pennsylvania	34	@ 35
Clover Seed	5.50	@ 5.75
Timothy Seed	3.00	@ 3.75
Hay, Timothy	15.00	@20.00
Hops	7	@ 14
Potatoes, Mercer	1.30	@ 1.40
Bacon, Shoulders	7¼	@ 7¾
Bacon, Sides	8¾	@ 0
Bacon, Hams	10	@ 11
Pork, Mess	14.75	@00.00
Pork, Prime	13.25	@13.50
Beef, Mess	19.50	@20.00
Lard, in barrels	9	@ 10¼
Lard, in kegs	00	@ 00
Wool, Unwashed	00	@ 00
Wool, Washed	00	@ 00
Wool, Pulled	00	@ 00
Wool, Fleece, common	00	@ 00
Wool, Fleece, fine	00	@ 00
Wool, Choice Merino	00	@ 00
Butter, Western, in kegs	12½	@ 14
Butter, Roll	18	@ 22
Cheese	9½	@ 10
Coffee, Rio	8½	@ 9¼
Coffee, Java	16	@ 17

NEW YORK MARKET.

Carefully prepared to Tuesday, January 26, 1858.

Flour, State brands	$4 25	@ 4 30
Flour, State brands, extra	4.45	@ 4.60
Flour, Western	4.25	@ 4.40
Flour, Southern	4.50	@ 5.00
Rye Flour	3.00	@ 4.00
Corn Meal	3.00	@ 3.50
Wheat, white	1.35	@ 1.38
Wheat, red	0.00	@ 0.00
Corn, white	67	@ 70
Corn, yellow	63	@ 65
Rye	70	@ 00
Oats	42	@ 45
Clover Seed	8.50	@ 9.00
Timothy Seed	2 25	@ 2 50
Hay	65	@ 75
Hops	5	@ 8
Bacon, Shoulders	6	@ 6¼
Bacon, Sides	10	@ 00
Bacon, Hams	8	@ 8½
Pork, Mess	14.75	@15.00
Pork, Prime	11.75	@12.00
Beef	9.00	@10.00
Lard, in barrels	8¾	@ 9¼
Lard, in kegs	11	@ 00
Butter, Western	11	@ 16
Butter, State	14	@ 20
Cheese	6	@ 8
Coffee, Rio	8¾	@ 10¼
Coffee, Java	15½	@ 16
Wool, Unwashed	00	@ 00
Wool, Washed	00	@ 00
Wool, Pulled	00	@ 00
Wool, Fleece, common	00	@ 00
Wool, Fleece, fine	00	@ 00
Iron, Scotch, Pig	28.00	@28.50
Lime, Rockland	1.20	@ 0.00
Lime, common	65	@ 00

THE NATIONAL ERA.
Washington, D. C.
G. BAILEY, EDITOR AND PROPRIETOR;
JOHN G. WHITTIER, CORRESPONDING EDITOR.

PROSPECTUS OF THE TWELFTH VOLUME,

BEGINNING JANUARY 1, 1858.

The *National Era* is an uncompromising opponent of Slavery and the Slave Power; an advocate of personal, civil, and religious liberty, without regard to race or creed; a foe to all secret combinations to control the Ballot-Box, whether under the direction of priests or laymen, and to all measures directly or indirectly countenancing proscription on account of birth-place or religion; a friend of Temperance, the Homestead, and all reforms calculated to secure to Labor its just consideration, recompense, and political weight, and to Trade, its Natural Freedom, in virtue of which every man has a right to buy and sell in whatever market he pleases.

It regards Slavery, and the issues involved in it, as forming the great Political Question of the Day; taking the ground, that Slavery, from its necessities, instincts, and habits, is perpetually antagonistic to Freedom and Free Labor, and unchangeably aggressive; that its workings can be counteracted only by a permanent system of measures; and it therefore has supported, and will continue to support, the Republican Party, so long as it shall be true to Freedom, holding itself, however, perfectly independent, at liberty to approve or condemn whatever may accord or conflict with its oft-avowed principles.

It presents weekly a summary of General News and Political Intelligence, keeps a record of the Proceedings of Congress, and is the repository of a large portion of the most important speeches delivered in that body.

Its Foreign and Domestic Correspondence is carefully provided for, and its Literary Miscellany, chiefly original, being supplied by many of the best writers of the country, makes it emphatically a Paper for the Family.

My subscribers have stood by the *Era* handsomely. No paper can boast warmer or more steadfast friends. They have not forgotten that, whatever the claims and merits of other papers, the *Era*, in the face of imminent perils, was the pioneer to Freedom of the Press in this slaveholding District, and has been for eleven years the only journal at the seat of the Federal Government, representing the sentiments of the Free States on the great Question of the Country, the only journal through which their loyal representatives in Congress could find voice and vindication. They have not forgotten, nor will they forget, that while papers engaged in the same Cause elsewhere, have strong local interests to rely upon, and the papers printed here, opposed to our Cause, thrive through the patronage of the Federal Government, the *Era* is uniformly proscribed by that Government, and its legal right to official advertisements denied, while, so far from having the support, it is constantly subjected to the opposition, of strong local interests; so that its only dependence is upon those enlightened friends of Freedom, all over the country, who appreciate the necessity of maintaining such a sentinel on the outpost of Freedom.

G. BAILEY.

Washington, D. C., November 1, 1857.

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Address G. Bailey, Washington, D. C., *Editor of National Era.*

WASHINGTON, D. C.

KANSAS AND THE LECOMPTON CONSTITUTION.

SPEECH OF HON. I. WASHBURN, JR.,

Of Maine,

IN THE HOUSE OF REPRESENTATIVES,

January 7, 1858.

Mr. Chairman, I have nothing to say at this time about the neutrality laws or William Walker. I shall speak to-day of Kansas and the Lecompton Constitution. On the 30th day of May, A. D. 1854, the memorable act, entitled "An act to organize the Territories of Nebraska and Kansas," was passed by the Congress of the United States. Among its provisions was the following:

"That the Constitution, and all laws of the United States which are not locally inapplicable, shall have the same force and effect within the said Territory of Kansas as elsewhere within the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March 6th, 1820, which, being inconsistent with the principle of non-intervention by Congress with Slavery in the States and Territories, as recognised by the legislation of 1850, commonly called the compromise measures, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate Slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States: *Provided*, That nothing herein contained shall be construed to revive or put in force any law or regulation which may have existed prior to the act of March 6th, 1850, either protecting, establishing, prohibiting, or abolishing Slavery."

This doctrine of non-intervention by Congress in respect to Slavery in the Territories—to its Inventor, (for it was a new thing under the sun,) the present Secretary of State, if not to the country, the direful spring of unnumbered woes—was founded upon the assumption, that with the people of the Territories resided the right to manage their own affairs, to regulate their social, domestic, and local concerns in their own way. It was asserted that this right had been practically conceded to them in reference to all local and domestic questions but one—that of Slavery. And it was maintained that the intervention of Congress in respect to this single question of Slavery was invidious, unjust, and unconstitutional, and ought to be terminated by a solemn declaration and abnegation by Congress; so that, hereafter, in all sections of the country, it should be distinctly understood that the people of the Territories are to be left "to form and regulate their domestic institutions"—*all of them*—"in their own way;" that they should be as free to decide in reference to Slavery as other questions, and be governed by one and the same rule concerning all of them. To show that I have stated correctly the grounds upon which this provision of the Kansas-Nebraska act was advocated or defended by those who voted for it, I will read some brief extracts from the speeches of leading Democrats, made in Congress while this measure was pending before that body; and I may properly commence with the distinguished chairman of the Committee on Territories in the Senate, the Senator from Illinois. Judge Douglas, repeating what he had said on a previous occasion, spoke as follows:

"The position that I have ever taken has been that this, (the Slavery question) and *all other questions* relating to the domestic affairs and domestic policy of the Territories, ought to be left to the decision of the people themselves; and that we ought to be content with whatever way they would decide the question, because they have a much deeper interest in these matters than we have; and know much better what institutions suit them than we, who have never been there, can decide for them."

The Secretary of State, Gen. Cass, then a Senator from Michigan, exultingly hailed the triumph of "Squatter Sovereignty," when the Nebraska bill passed the Senate. He had previously made an elaborate speech in its favor, in which he labored to prove that the people of the Territories, as well as of the States, ought to be permitted to determine for themselves in regard to ALL their local institutions. He said:

"We know we cannot touch their domestic hearths nor their domestic altars; their family and social relations; their wives nor their children; *their men-servants nor their maid-servants*; their houses, their farms, nor their property, without a *gross violation of the inalienable rights of man*, consecrated by the blood of our fathers, and hallowed by the affections of their sons."

The gentleman from Georgia, [Mr. Stephens,] it will be remembered, took an active and leading part in engineering this bill through the House of Representatives. That you may understand why he desired it might become a law, I will read a short passage from a speech which he made in this House on the 17th of February, 1854:

"And where do you, calling yourselves Democrats from the North, stand upon this great question of popular rights? Do you consider it Democratic to exercise the high prerogative of stifling the voice of the adventurous pioneer, and restricting his suffrage in a matter concerning his own interest, happiness, and government, which he is much more capable of deciding than you are? As for myself and the friends of the Nebraska bill, we think that our fellow-citizens who go to the frontier, penetrate the wilderness, cut down the forest, till the soil, erect school-houses and churches, extend civilization, and lay the foundation of future States and Empires, do not lose by their change of place in hope of *bettering* their condition, either their capacity for self-government, or their just rights to exercise it, conformably to the Constitution of the United States.

"We of the South are willing that they should exercise it *upon the subject of the condition of the African race among them*, AS WELL AS UPON OTHER QUESTIONS OF DOMESTIC POLICY."

Such, sir, were the arguments and considerations upon which the friends of the Nebraska bill urged its adoption by Congress. There were, to be sure, a few gentlemen in both Houses who supported the measure on different grounds; who repudiated and scouted the doctrine of popular sovereignty, as advocated by the gentlemen from whose speeches I have quoted; but they were not the active and efficient men upon whose efforts its success depended, although they may have been the parties who compelled its introduction. And I assert, without fear of contradiction from any intelligent quarter, that the avowed purpose for which the Nebraska bill, in the shape which it finally assumed, was enrolled upon the statute book of the United States, was to assure to the people of the Territories the right to make such rules and regulations, laws and ordinances, affecting their domestic interests and systems, of whatever character, as they should see fit. Were it necessary to fortify this allegation by additional testimony to the same effect with that which I have adduced, it could be found in more than fifty speeches, filling the columns of the Appendix to the Congressional Globe for the first session of the Thirty-third Congress.

Such were the reasons assigned for the enactment of this law, by its influential and efficient friends; and to those of their number who, by their subsequent action in attempting in good faith to secure to the people the untrammeled exercise of this right, prove that they were really actuated by the motives which they professed, we may yield our respect, while we must continue to lament that they should have fallen into errors so grave and so vital. The design of the section of the bill which I have read was not, as the President would imply, in giving the people of the Territories of Kansas and Nebraska the power to vote on the question of Slavery, to deprive them of the opportunity to vote on other questions of domestic interest; but, that the right which it was assumed they already possessed, and had long enjoyed, to act on these questions, should be extended to the question of Slavery. And from the premises of the Senators and Representatives upon whose labors the incorporation of this section into the Kansas-Nebraska act in the main depended, an argument in its favor, of very considerable plausibility was founded; and the only argument that had any influence in reconciling the Northern Democracy to the abrogation of the Missouri Compromise.

Thus, I think, I have shown that if the members of Congress who voted for the Nebraska bill knew what they were about, the President is very much in error in asserting that its provisions do not contemplate the same submission to the people of all questions of interest to them, that he says is required in respect to the Slavery question.

The opponents of this act denied that the people of the Territories possessed the absolute and exclusive right of legislation in regard to their domestic affairs. They did not yield their assent to the arguments to which I have referred, for they did not understand that *the people of the Territories* possessed *any* legislative powers as of unconditional right. They believed that Congress might, if it saw proper, make all the rules and regulations for the Territories of the United States, so long as they should remain Territories. So far as the question of constitutional power to legislate for these inchoate political communities was concerned, they never doubted that it was vested in the Congress of the United States; and they knew that this opinion had never been questioned, from the foundation of the Government down to 1847; that it had been expressly affirmed and acted upon by all the departments of the Government—by all Presidents, Cabinets, and Congresses—during a period of sixty years; and had many times and often, and with great earnestness, been propounded as the true doctrine, even by those who were then laboring so zealously for its overthrow; and particularly did they remember that the Supreme Court of the United States, while the great and guiding mind of Marshall presided over its deliberations, had decided specifically, in the leading case of the American and Ocean Insurance Company *vs.* Canter, (1 Pet., s. 511,) that Congress had full, plenary, and exclusive legislative power over the Territories; and let me remark that they will not overlook the fact now—and to it I beg to call the particular attention of the House—that this opinion has recently been sustained by the same tribunal, in the most emphatic manner, in the celebrated case of Dred Scott *vs.* Sandford, in which it is expressly stated that Congress has general power to legislate for the Territories. So that, if there were no constitutional inhibition in reference to the exclusion of Slavery, its legislation in the passage of the Missouri Compromise would have been rightful and valid. The Supreme Court agree with the Republicans in denying the doctrine of popular sovereignty in the Territories, as asserted by the ostensible authors and most active promoters of the Nebraska act, and in affirming the power of Congress to make laws for the government of these incipient States, in all cases and for all purposes, except in so far as it is restrained by the Constitution. That I do not err in this statement, appears from the following extract from the opinion of Chief Justice Taney, in the case of Scott *vs.* Sandford.

"It is thus clear, from the whole opinion on this point, that the Court (in Insurance Company *vs.* Canter) did not mean to decide whether the power (to govern the Territories) was derived from the clause in the Constitution, or was the necessary consequence of the right to acquire. *They do decide that the power in Congress is unquestionable, and in this we entirely concur, and nothing will be found in this opinion to the contrary.* The power stands firmly on the latter alternative put by the Court—that is, as *'the inevitable consequence of the right to acquire territory.'*"

So much for the Nicholson letter! So much for "squatter sovereignty!"

It will be seen that the court fully agree with the Republicans in repudiating, root and branch, length and breadth, the dogma of popular sovereignty, but differ from them in holding that the Constitution has forbidden the interference of Congress for the restriction of Slavery. The Republicans, maintaining the existence of this general power in Congress, insist that it extends to all proper subjects of legislation in the Territories—the question of Slavery included. And they agree with Senator Douglas and General Cass, that it has no more power over Slavery than it has over other questions of domestic policy and interest.

But, Mr. Chairman, the Republicans hold that, although the legislative power resides, and of necessity must reside, in Congress, it may be committed by the latter, in whole or in part, into the hands of the people of the Territories; or, in other words, that Congress may govern through the instrumentality of Territorial Legislatures, whose action, being subject to its approval or rejection, becomes, in effect, the action of that body. They also believe that it is wise and expedient to delegate to the people of the Territories the power to make, or rather to initiate, the laws and regulations in regard to such matters, systems, and institutions, as are purely local, and affect only themselves; but that there are subjects, not of a merely local character, which should be reserved for the exclusive legislation of Congress. Of such was the question of Slavery, or no Slavery, in Kansas, as it affected, not only the people of that Territory, but also of all the States, the interest and welfare, the peace and prosperity, of all.

It was a question in which the people of Maine and the people of Texas were interested. The people of Maine believe that their interests are affected unfavorably by any act which extends Slavery, and enlarges its power in the country and in Congress, gives to the Representatives of servile labor increased power to protect and promote the particular and special interests of those who live upon such labor, at the expense, and it may be to the destruction, of free labor—of labor that owns itself, and claims the right to protect itself as vital and sacred. And so they said to their Representatives in 1820, and have said to them ever since, while in all matters affecting the people of the Territories alone, it will be well for you to allow them to make their own laws, in those which concern not only them, but us also, reserve the power to yourselves and to us, whose agents you are, that our rights may be preserved and our interests protected. Grant not the power to the enemies of our institutions—the Mormons, for example—to go on to our own territory, purchased by our blood or treasure, or both, and there establish schemes and systems of wrong and immorality and violence, discreditable to the age, and disgraceful to the country, and which, if not checked, will undermine the institutions of Christianity and civilization, which are the butments and defences of Republican Liberty.

Upon this point, I rejoice to be able to bring to my support the opinion of one of the wisest men the Republic has ever known, and whose authority in a question of this character yields to that of no other name. I refer to James Madison, from whose writings I read thus:

"Every addition the States receive to their number of slaves, tends to weaken and render them less capable of self defence. In case of hostilities with foreign nations, they will be the means of inviting attack, instead of repelling invasion. It is a necessary *duty of the General Government* to protect every part of their confines against dangers, *as well internal as external*. Everything, therefore, which tends to increase danger, though it be a *local affair*, yet, if it involves national expense or safety, becomes of concern to every part of the Union, and is a proper subject for the consideration of those charged with the general administration of the Government."

It required no extraordinary degree of foresight to predict what would follow the repeal of the Missouri Compromise. The slaveholding oligarchy might use popular sovereignty for a special purpose; but for them, as a principle of general application, it was not entirely safe. They had discovered that their system of servile labor was one which required continual bracing and strengthening. It is in its nature, as all things false and violent are, self-destructive. It must have scope and room for expansion, or it dies; blasting the earth wherever it treads, it must have "fresh woods and pastures new," or it starves. It must be protected from without, and its defences and supports must be placed beyond the contingencies of public opinion, and out of the reach of ordinary assault; therefore, it must be guarded by constitutional sanctions. Hence the Dred Scott opinion—interpreted by President Buchanan, in his letter to Professor Silliman and others, as containing the doctrine, as it undoubtedly does, that the Constitution of the United States affixes, in certain cases, to persons of African descent, the character of property—stamps them with the mark of chattels. If this be sound doctrine, it is plain that the Constitution carries Slavery, not only into the Territories, but into the States; for whatever *it* makes property, no State law or Constitution can declare shall not be property.

Sir, this is a monstrous doctrine; and that it is necessary to be maintained, only proves the mischievous and desperate character of the system for whose protection it is invoked. If it is the true doctrine, then was the Constitution ordained not to secure the "blessings of liberty" to the people of this country, but to fix upon them forever a system regarded, we have been taught to believe, by its framers, and all the early statesmen, as without foundation in natural right or sound policy; then must it be admitted that the great end and object of the Constitution was to establish or protect Slavery everywhere within the range of its operations. For if it recognises, and was intended to recognise, property in slaves to such an extent that it is not within the power of a State, (or Territory,) by its laws, to forbid the existence of this relation within its own jurisdiction, it does, in regard to property in slaves, what it has never been understood to effect in respect to property in anything else—it makes a fundamental distinction between slave property and all other kinds of property. It has never been held that the Constitution gives to horses, oxen, carriages, or anything else, the character of property, in the sense in which it is understood by the President and by the Supreme Court to affix that character to negroes held to service. The legislative power of a State or Territory may, without doubt, declare that there shall be no property in liquors of domestic manufacture, in bank notes, in horses, in carriages without wheels or with wheels, or with wide wheels or narrow wheels, or in oxen, as I am informed the Legislature of Missouri has already done. Nobody, I presume, questions the existence of this power in the States. It is exercised by them every day. Deny it to them, and they are deprived of one of their most important functions. What power but that of the people of the several States can decide what shall be treated as property within their respective jurisdictions? Shall the Federal Government exercise this power? If so, whence is it derived? Does the Constitution declare what is property in New York or Pennsylvania? If so, what becomes of the police powers of the States? No, sir; this right to declare what may be held and recognised as property exists in the several States, each for itself, and nowhere else.

Mr. Chairman, notwithstanding these and other objections on the part of the true friends of self-government and of the Constitution, the Nebraska bill became a law, and the Missouri Compromise was abrogated and destroyed. The opponents of Slavery extension were beaten, but their responsibilities to the Territories, to the country, and to the cause of human nature, did not cease with this defeat. An opportunity to labor for the preservation of the Territories remained; and duty and consistency alike enjoined upon them the obligation of taking care, so far as they had the power, that the act for organizing the Territories of Nebraska and Kansas should be honestly executed. They could not restore the Missouri Compromise—they attempted to do it in the last Congress, and failed—but they could say to the Democratic party, you have passed this act for the avowed purpose of enabling the people of these Territories to decide for themselves in reference to Slavery, as well as other questions of interest to them—we fear that some of your number are determined that they shall not do so unless they decide in a particular way. To you, therefore, who really believed in what you called popular sovereignty, and who in good faith promoted the passage of this law for the reasons which you urged with so much earnestness and persistency, we look to take care that what you alleged were its genuine objects, shall be faithfully carried out; and as the best, and as all that we can now do, we pledge ourselves to act with you, if you will permit it, and, if not, to act without you, in honest purpose, to secure to the people of these new communities an opportunity to exclude Slavery therefrom if they shall so desire. You were pledged to protect them in the exercise of this grant, or right, if you please to call it so—pledged by your speeches, your resolutions, your presses, by the messages of your late President, and the inaugural address of your present. But, sir, in what way have these pledges been kept, and to what extent have you been permitted to keep them?

It is not necessary for my present purpose that I should recall to your notice the operations of the "Border Ruffians" in Kansas in 1854, when a Delegate was first sent to this House from that Territory, chosen by the votes of some twelve or fourteen hundred non-residents, men who had no better right to vote there than you had; in 1855, when a Legislature was imposed upon that Territory by citizens of Missouri and other slave States, who, to the number of more than four thousand eight hundred, invaded it, and claimed and exercised the privilege of voting, and by their votes elected a large majority, if not all, of the members of that body; in 1856, a year stained by the record of crimes and atrocities in that unhappy Territory, so monstrous and so strange, that history will set it apart, for its bad eminence, from all other years in the roll of many generations. But I will come down to the present year, and to what has transpired under the administration of Mr. Buchanan. And, sir, I regret to say that I am compelled to believe that this Administration has never intended that the people of Kansas should be permitted to decide for themselves in respect to the question of Slavery. At the same time that I say this, in deepest sorrow, and because I must say it if I speak the truth, I rejoice with exceeding joy in the manifestation, in influential quarters, of a fixed and unchangeable purpose to see that what were urged as the true principles of the Nebraska bill shall be respected and carried out at all hazards.

But to return to the Administration. I have said, in effect, that I do not believe that the Administration ever intended that Kansas should be a free State, let the wishes of her people be what they might. And for this belief I am prepared to give my reasons. Men and Governments are to be known by their actions, rather than by their professions. Soon after the inauguration of Mr. Buchanan, the question, "who shall hold the offices for and in Kansas?" claimed the attention of the Administration. Governor Geary, who, it was understood, was in favor of Popular Sovereignty, so called, intimated, it is said, his willingness to continue in office as Governor, if he could be allowed to employ all the proper means necessary to protect the people in the exercise of their rights. But no; this was not to be thought of; and a distinguished gentleman from Mississippi, in whom, from his residence in the South, and his known views upon the subject of Slavery, it was supposed, no doubt, that full confidence might be reposed by the Propagandists, was appointed in the place of Governor Geary. For the subordinate offices in the Territory the most extreme and notorious Pro-Slavery men were selected—in some instances, men who had been most unscrupulous and violent in their efforts to defeat the popular will; even men who had been the leading spirits in those deeds of inhumanity and blasphemy which made the land shudder, and whose arms were red to the shoulders with the blood of their murdered victims.

It is true the Administration promised the people of Kansas that they should have an honest vote at their elections. How has this promise been fulfilled? To say nothing of the election of members of the Constitutional Convention, to which I shall have occasion to allude hereafter, let me call your attention to the election of members of the Territorial Legislature. When it had been demonstrated to the satisfaction of the Governor and Secretary of Kansas that the most palpable and stupid frauds had been perpetrated in McGee and Johnson counties, by which the majority of the Legislature would be given to the Slave-State men—frauds so patent that the President himself did not doubt their existence, and the Governor and Secretary, as fair men, could not help rejecting the votes returned through these frauds, whereby the Free-State men were placed in the minority in the Legislature—what did the President do? Approve and commend the course of Governor Walker and Secretary Stanton in performing their duty, and seeing that the right of the people to govern themselves, so far as delegated by the organic act, was not destroyed by fraud? No; but if all rumor be correct, he had for them nothing but frowns and reproaches. Now, if Governor Walker had been more faithful to the Administration, and less true to the people and his own promises, and had given certificates to the Pro-Slavery claimants in Johnson and McGee, it would not have been difficult, under the forms and pretences of an adherence to the doctrine of popular sovereignty, to have brought Kansas into the Union as a slave State. But when this election was lost, all was lost, and even the pretexts of popular sovereignty were as good as dismissed forever.

I now come to a consideration of the Lecompton Constitution and the President's message. The Constitution of the United States provides that Congress *may* admit new States into the Union. The language used implies the exercise of a discretion in Congress; it ought to be, no doubt, a wise, honest, just discretion. I do not understand from the Constitution, or from the practice of Congress, that any particular form of application is necessary. Whenever the judgments and consciences of Senators and Representatives are satisfied that the people of a Territory having a sufficient population desire to be admitted into the Union as a State, and they present themselves with a Constitution providing for a republican form of government, and which does no injustice to other States, which contains nothing immoral, indecent, or greatly wrong, it is the duty of Congress to grant the prayer of their petition. But if the Constitution presented does not provide for a republican form of government; if it contains provisions which are manifestly unjust to other States; if its provisions are indecent and immoral, although they may not be regarded as strictly inconsistent with the idea of a republican form of government; or if the members of Congress believe, and from the evidence must believe, that it is not in accordance with the wishes of a majority of the people; if they know, as well as such things can be known, that the majority of the people are opposed to it, and would vote against it if they had a chance, it is their duty to vote against the admission of a State under such circumstances. I should do it. I will not vote to drag a people into the Union against their will, if I know their will, and under a Constitution which is not theirs. I have no right to do so. In thus voting, I would abuse the power vested in me as much as I should if I were to vote against the admission of a State which should present a petition for admission accompanied by a just and republican Constitution, and should have the best reason to know that it was the wish of the great majority of the people that she should be admitted.

I shall not look to forms and technicalities, but to the substance, in such cases. I would not consider an enabling act by Congress, or an act of the Territorial Legislature, necessary in any case to authorize the people to ask for admission as a State. Should a Territory having the requisite population desire admission as a State, and a respectable number of her citizens issue a call for an election at which the judgment of the people could be taken whether they would have a State Government, and it should be made to appear to my mind that a majority of the people desired the formation of such a Government, and should these people provide for an election of delegates to a Convention to form a Constitution, and elections be held under such call, and the people vote thereat and elect delegates, and these meet in Convention and frame a proper and republican Constitution, and submit it to the people, by a clear majority of whom it should be ratified, and I should perceive that all things were done honestly and in good faith, can there be the slightest doubt that it would be both my right and duty, under such circumstances, to vote for her admission as a State? On the other hand, if a Constitution should be sent here under the authority of forty enabling acts or Territorial acts, and the evidence should be of such character as to enforce the conviction that the people had never made that Constitution, nor asked for admission under it; that it had been carried by fraud and violence over their heads, and was sent here, that a Government might be made for them which they would abhor and detest, I would have no right to vote for the admission, and no power on earth should compel me to vote for it. How poor and pitiful is all the talk about records and enabling acts, and Territorial acts, and proceedings regular in form, and legal bodies, when you know in your heart what the people want and what they do not want, and are required to act under a Constitution which clothes you with a discretion for just such cases, and calls upon you to exercise it wisely and honestly!

And now, sir, how is it with this Lecompton Constitution? Let us see whether, in the action of the Convention which formed it, and of the President subsequent to its formation, we have no evidence in confirmation of the opinion I have had the honor to express in respect to the designs of the Federal Executive; and also let us observe how sadly the expectations of the real friends of popular sovereignty must have been disappointed in the Administration, which could not have had an existence but for their almost superhuman exertions.

Let us consider, in the first place, as to the constitution of this Lecompton Convention. The President and his friends contend that it was fairly constituted, and fairly represents the people, and the whole power residing in the people; and, therefore, that it was unnecessary to submit their work—to wit, the Constitution which they had framed—to them, for their ratification or rejection. He says the law for its constitution "was, in the main, *fair and just*; and it is to be regretted that all the *qualified electors had not registered themselves*, and voted under its provisions."

Sir, what are the facts? In answer to this question, I will produce no uncertain testimony; and, in the main, will rely upon witnesses whom the President is estopped to impeach, and whose testimony was in his possession when he made the statement which I have quoted. Let us see what Governor Walker says upon this point, in his recent letter to the President:

"That [the Lecompton] Convention had vital, not technical defect, in the very substance of its organization under the Territorial law, which could only be cured, in my judgment—as set forth in my inaugural and other addresses—by the submission of the Constitution for ratification or rejection by the people. On reference to the Territorial law under which the Convention was assembled thirty-four regularly-organized counties were named as election districts for delegates to the Convention. In each and all of these counties it was required by law that a census should be taken, and the voters registered; and when this was completed, the delegates to the Convention should be apportioned accordingly. In nineteen of these counties there was no census, and therefore there could be no such apportionment there of delegates based upon such census. And in fifteen of these counties there was no registry of voters.

"These fifteen counties, including many of the oldest organized counties in the Territory, were entirely disfranchised, and did not give, and (*by no fault of their own*) could not give, a solitary vote for delegates to the Convention." * * * "Nor could it be said these counties acquiesced; for, wherever they endeavored by a subsequent census or registry of their own to supply this defect, occasioned by the previous neglect of the Territorial officers, the delegates thus chosen were rejected by the Convention."

"I repeat, that in nineteen counties out of thirty-four, there was no census. In fifteen counties out of thirty-four, there was no registry; *and not a solitary vote was given or could be given for delegates to the Convention in any one of these counties*. Surely, then, it cannot be said that such a Convention, chosen by scarcely more than one-tenth of the present voters in Kansas, represented the people of that Territory, and could rightfully impose a Constitution upon them without their consent."

The failure to vote, says Governor Walker, who knows what he says, and proves it, was "no fault of their own." Again, in fifteen counties not a "solitary vote could be given;" yet the President *regrets* that the qualified voters had not registered themselves and voted!

Upon this point, Secretary Stanton, who is no Free State man or Republican, but a Pro-Slavery Democrat, as he himself has told us, says:

"The census therein provided for was imperfectly obtained from an unwilling people in nineteen counties of the Territory; while in the remaining counties, being also nineteen in number, from various causes, no attempt was made to comply with the law. In some instances, people and officers were alike averse to the proceedings; in others, *the officers neglected or refused to act*; and in some, there was but a small population and no efficient organization, enabling the people to secure a representation in the Convention."

There was no remedy whatever for these men who had not been registered, as was proved by actual trial. The case is not left to conjecture, but stands on evidence; and here it is, in the memorial and protest of the people of Anderson county, Kansas, which I hold in my hand, and which I hope you will all read.

Mr. Chairman, thus it appears conclusively, and from authority which cannot be disputed, that the people of fifteen at least of the thirty-four counties in the Territory were not and could not be represented in the Convention. Nearly one-half of the people in the Territory were deprived of the right of being heard in the choice of delegates who were to exercise the highest powers of sovereignty. In one county in which there was no registry, the people did all they could to be represented in the Convention. They held a meeting, at which they voted and elected delegates. That these delegates were the choice of the people of the county, and were elected with as much regularity as the circumstances of the case would permit, and that the county was entitled by its population to two delegates, are facts which do not seem to have been disputed. Yet these delegates were not received. If they had been, the whole action of the Convention might have been reversed. The Constitution was adopted, if I am not misinformed, by a majority of only two votes. If the Anderson delegates, who would have represented as many of the people of Kansas as any two members of the Convention, had been allowed to vote, the Constitution would have been rejected. They were not permitted to vote; the Constitution was adopted, and is claimed to have been the sovereign act of the people. It was no such thing. The Lecompton Convention did not represent the sovereignty of the people, for it did not emanate from the people; therefore the Constitution should have been submitted to them in such manner that, if they did not want it, they could reject it.

But this has not been done. Let us place ourselves where the people of Kansas were on the 21st day of December, and we shall find that they cannot vote upon the Constitution made by that Convention at all. Nine out of every ten of them may dislike it; they may object seriously, and upon principle, to many of its provisions; they may not like the power to establish a mammoth bank; or they may wish to reserve to the Legislature the power to grant divorces, although I think it would be unwise to do so; (but it is their business, and they have a right to be heard on it;) they may object to give to Johnson county, with four hundred voters, as large a representation in the Senate as is allotted to Douglas county with two thousand; they may desire to be permitted to vote for an adopted citizen for Governor, although he may not have been naturalized for the full term of twenty years. But, under the Lecompton schedule, they have no opportunity to vote on any of these questions, or to say that rather than have the Constitution as it is, they will have none. The Convention only permits them to say whether slaves may hereafter be taken into the State or not.

The President and his friends in the Senate, Mr. Bigler and Mr. Fitch, admit that the question of Slavery should be submitted to the people. But even this has not been done. The people are not to say whether they will have Slavery or not, but only in what way they will have it; only in reference to the future sources of supply; *or, in other words, they are to be allowed to say whether or not they will give to the business of slave-breeding, within the State, the advantage of absolute protection against foreign competition.* Vote any way the people can, and Slavery is fixed in the State, and forever, or until the Constitution shall be overthrown by a revolution. The increase of the slaves in Kansas are protected by the "Constitution with no Slavery," and there is no provision by which, *under* the Constitution, any changes can be made, hereafter, to affect the condition of the slaves now within the Territory, and their descendants. Not only till 1864, but to the end of time, is the existence of Slavery secured by this Constitution. Though the "Constitution with no Slavery" be adopted, it will be with the condition "that the right of property in slaves, now in this Territory, shall in no manner be interfered with;" and as it respects the future, under this Constitution, it is provided that, after 1864, when the Constitution may be altered in all other respects, "no alteration shall be made to affect the rights of property in the ownership of slaves." Thus the people are to be bound, hand and foot, and a few interlopers and miscreants, assembled at Lecompton, in 1857, will control the millions of people who are to inhabit that broad and beautiful land, for ages and ages.

And this is Democracy; the Democracy of Slavery! This kind of Democracy—not that of Washington and Jefferson—is fast disappearing from our section of the country. Men in the free North cannot stand it. They are so much alarmed by its doctrines, that they will not only repudiate it for the present and future, but be anxious to prove that they never had anything to do with it their lives long. This Democracy of Slavery will hereafter be in use only as a warning or a fright, and will operate as effectually to preserve our public domain against the ravages of Slavery as the scarecrow set up last summer by one of our down-east farmers did, to protect his cornfield against the depredations of the crows. It was so hideous and terrible, that it not only kept the crows off this year, *but frightened them so badly that they brought back the corn they stole last year.*

Sir, the "Constitution with no Slavery" is held, by those who ought to know, to be the best form of a Pro-Slavery Constitution. See what is said by a correspondent of the Jackson *Mississipian*, writing from Lecompton, on the 27th of November last:

"Thus you see that whilst, by submitting the question in this form, they are bound to have a ratification of the one or the other; and that while it seems to be an election between a Free-State and Pro-Slavery Constitution, it is in fact but a question of the future introduction of Slavery that is in controversy; and yet it furnishes our friends in Congress a basis on which to rest their vindication of the admission of Kansas as a State under it into the Union; while they would not have it sent directly from the Convention.

"*It is the very best proposition for making Kansas a slave State that was submitted for the consideration of the Convention.* In addition to what I have stated, it embraces a provision continuing in force all existing laws of the Territory until repealed by the Legislature of the State to be elected under the provisions of this Constitution."

The Charleston *Mercury* entertains similar opinions, as will be seen by the following:

"We are equally satisfied with the action of the Convention. We differ, too, with the President, as to what is submitted to the vote of the people. *We do not think that the question of Slavery or no Slavery is submitted to the vote of the people. Whether the clause in the Constitution is voted out or voted in, Slavery exists and has a guarantee in the Constitution that it shall not be interfered with*; whilst, if the Slavery party in Kansas can keep or get the majority of the Legislature, they may open wide the door for the immigration of slaves. But this, also, is a small matter of difference with the President."

Mr. Chairman, not only are the people of the Territory deprived of the right of voting against the Constitution, and defeating it altogether; not only are they denied the privilege of voting for a Constitution which prohibits Slavery, but the Free State men, who are admitted to compose an overwhelming majority, have no opportunity allowed them to choose between the two Pro-Slavery forms which were submitted. Their right even to make this choice is dependent on the performance of a condition which, it must have been well known, they cannot do otherwise than reject.

Section nine of the schedule provides as follows:

"*Any* person offering to vote at the aforesaid election, upon said Constitution, shall, if challenged, take an oath to support the Constitution of the United States, *and to support this Constitution if adopted*, under the penalties of perjury under the Territorial laws."

Now, sir, under this schedule, the voter knows, when he offers his ballot, that the Constitution with Slavery may be adopted. He not only has the right to assume, but he does and must assume, that it will be. In this case, *may* is equivalent to *must*. He must be prepared to say and swear that he will support the Constitution in whichever of the two forms proposed it may be adopted. Suppose it to be accepted "with Slavery"—as in fact it has been—and one of its sections will read in these words:

"The right of property *is before and higher than any constitutional sanction, and the right of the owner of a slave to such slave and its increase is the same, and as inviolable as the right of the owner of any property whatever.*"

Thus the citizen who offers his ballot may be required, before he can deposit it, to swear that he will support and maintain, as a great fundamental truth, as one of the axioms of government, the proposition that the right to hold human beings in Slavery is *before and higher* than any constitutional sanction; or, in other words, is founded in absolute and eternal justice. All this he must swear, or he cannot vote. It is not enough that he should make oath that he is of lawful age; that he is an American citizen; that he has been a resident of the Territory the term required by law, and is in all respects a qualified voter; but he is esteemed unfit to vote concerning the institutions under which he is to live, unless he will recognise, by an appeal to the God of truth, the baldest, bitterest lie that ever blistered human lips.

Speaking of this system, General Cass said, in his Nebraska speech:

"Slavery is, in my opinion, as I have said more than once before in the Senate, and, I have no doubt, unacceptably to many, a great evil, social and political."

Henry Clay declared that it could never be defended, "so long as the light of reason and the love of liberty remained among men." To the mind of Daniel Webster it was a thing "accursed." Thomas Jefferson denounced the traffic upon which it was founded as "PIRACY" and "THE OPPROBRIUM OF INFIDEL POWERS." Lord Brougham has characterized its fundamental idea as a "wild and guilty fantasy." John Wesley pronounced it "the sum of all villianies." The great master of the drama, who understood so well all the sides and relations of human life, to whose marvellous insight nothing concerning man was impenetrable, speaks of it as a "curse," and as feeding its victims with "distressful bread;" and our blessed Lord and Saviour has condemned it in all the lessons of His life, not less than in the memorable words, "All things whatsoever ye would that men should do unto you, do ye even so to them." But now, in the last half of the nineteenth century, in free democratic America, the people are not to be intrusted with the exercise of one of their dearest rights, until they declare that they will maintain, protect, and uphold this system, as founded in natural right, SO HELP THEM GOD!

And, sir, the Free State men of Kansas must have foreseen that in any possible event, whether they should attempt to vote or not, a majority of the votes were to be counted and returned for the Pro-Slavery side. They knew that the men who had counted twelve hundred votes in Oxford precinct would be ready to do it again if necessary. They saw that the army, whose protection had been refused them when they had needed it, would be employed to protect voters from abroad, if required. And the event has justified their anticipations. Thirteen hundred votes were given in Oxford, not one hundred of which can be legal—but they are to be considered legal, and no evidence will be permitted to affect their reception. President Pierce, in his special message of January 24th, 1856, told the Free State men, "it is not the duty of the President of the United States to volunteer interposition by force to preserve the purity of elections, either in a State or Territory. To do so, would be subversive of public freedom." Oh, no! the army may not be used to protect the actual residents and legal voters in 1855 and 1856, who are for free Kansas; but is to be paraded around the polls and the avenues thereto in 1857, to guard the Missourians, who have come over to the Territory on the neighborly errand of voting a Constitution for its people, which establishes Slavery as an unchangeable system among them.

Mr. Chairman, the "Constitution with Slavery" was accepted on the 21st of December, by the vote of a meager minority of the actual residents of Kansas. It is to be the organic, fundamental law of that State, unchangeable forever in respect to Slavery, as appears from a provision which I have already cited, and will here read again—it is in the section (fourteen) of the schedule which refers to the future amendment of the Constitution, and is as follows: "*But no alteration shall be made to affect the rights of property in the ownership of slaves.*" In no way but by revolution can a change be effected in the slavery provisions of this Constitution, and should a movement of this kind be resorted to by four-fifths of the people, the President stands ready with the army of the United States to crush it and those who participate in it.

That the people might have voted on the 21st of December, and prevented the adoption of this Constitution, is, as I have shown, a palpable and vital error. But, let me repeat, the Free State men, who are admitted on all hands, even by Calhoun and the Border Ruffians, to be largely in the majority, were excluded from the ballot-box by the oath which I have read; *for they could not take that oath and be Free State men.* But if no such oath had been interposed, how would the case have stood? The election was under the entire control of the architects of the Oxford and McGee frauds, and those who had procured or connived at the voting of Missourians in previous elections; and the Administration at Washington had, by its rebuke of Governor Walker and Secretary Stanton, for their rejection of false and fraudulent returns, intimated, in the most unequivocal manner, that any measures necessary to carry the points of the Propagandists would be approved, or, at least, winked at. And besides, even if the election had been committed to the supervision of just and impartial men, who would have received and counted all legal votes, and no others, there would, nevertheless, have been no opportunity for a vote against the Constitution, nor whether Slavery should or should not exist in the new State. The people were only permitted to say from what sources the future supplies of slaves should be derived.

Sir, with this plain and truthful statement, which defies contradiction, what an insult is it to the intelligence of this country, what a cruel mockery to the abused people of Kansas, for the President and his masters to declare that the dreadful responsibility of making Kansas a slave State, if such it shall be, rests with the Free State men of that Territory!

THE INDIAN MUTINIES—THRILLING ACCOUNT OF THE RELIEF OF LUCKNOW.

A letter dated Calcutta, October 8, gives the following thrilling account of the relief of the besieged at Lucknow:

I give you the following account of the relief of Lucknow, as described by a lady, one of the rescued party: On every side, death stared us in the face; no human skill could avert it any longer. We saw the moment approach when we must bid farewell to earth, yet without feeling that unutterable horror which must have been experienced by the unhappy victims at Cawnpore. We were resolved rather to die than to yield, and were fully persuaded that in twenty-four hours all would be over. The engineers had said so, and all knew the worst. We women strove to encourage each other, and to perform the light duties which had been assigned to us, such as conveying orders to the batteries, and supplying the men with provisions, especially cups of coffee, which we prepared day and night. I had gone out to try and make myself useful, in company with Jessie Brown, the wife of a corporal in my husband's regiment. Poor Jessie had been in a state of restless excitement all through the seige, and had fallen away visibly within the last few days. A constant fever consumed her, and her mind wandered occasionally, especially that day, when the recollections of home seemed powerfully present to her. At last, overcome with fatigue, she lay down on the ground, wrapped up in her plaid. I sat beside her, promising to awaken her when, as she said, "her father should return from the plowing." She fell at length into a profound slumber, motionless, and apparently breathless—her head resting in my lap. I, myself, could no longer resist the inclination to sleep, in spite of the continual roar of the cannon. Suddenly I was aroused by a wild, unearthly scream close to my ear; my companion stood upright beside me, her arms raised, and her head bent forward in the attitude of listening. A look of intense delight broke over her countenance; she grasped my hand, drew me towards her, and exclaimed: "Dinna ye hear it? dinna ye hear it? Ay, I'm no dreamin'; it's the slogan o' the Highlanders! We're saved! we're saved!" Then, flinging herself on her knees, she thanked God with passionate fervor. I felt utterly bewildered; my English ears heard only the roar of artillery, and I thought my poor Jessie was still raving, but she darted to the batteries, and I heard her cry incessantly to the men: "Courage! courage! hark to the slogan—to the Macgregor, the grandest o' them a'. Here's help at last!"

To describe the effect of these words upon the soldiers would be impossible. For a moment they ceased firing, and every soul listened in intense anxiety. Gradually, however, there arose a murmur of bitter disappointment, and the wailing of the women who had flocked to the spot burst out anew as the colonel shook his head. Our dull lowland ears heard nothing but the rattle of the musketry. A few moments more of this death-like suspense, of this agonizing hope, and Jessie, who had sunk on the ground, sprang to her feet, and cried, in a voice so clear and piercing that it was heard along the whole line—"will ye no believe it noo? The slogan has ceased indeed, but the Campbells are comin'! D'ye hear? d'ye hear?" At the moment we seemed indeed to hear the voice of God in the distance, when the pibroch of the Highlanders brought us tidings of deliverance, for now there was no longer any doubt of the fact. That shrill, penetrating, ceaseless sound, which rose above all other sounds, could come neither from the advance of the enemy, nor from the work of the sappers. No, it was indeed the blast of the Scottish bagpipes, now shrill and harsh, as threatening vengeance on the foe; then in softer tones seeming to promise succor to their friends in need. Never, surely, was there such a scene as that which followed. Not a heart in the residency of Lucknow but bowed itself before God. All by one simultaneous impulse fell upon their knees, and nothing was heard but bursting sobs and the murmured voice of prayer. Then all arose, and there rang out from a thousand lips a great shout of joy, which resounded far and wide, and lent new vigor to that blessed pibroch. To our cheer of "God save the Queen," they replied by the well-known strain that moves every Scot to tears, "Should auld acquaintance be forgot," &c. After that, nothing else made any impression on me. I scarcely remember what followed. Jessie was presented to the General on his entrance into the fort, and at the officers' banquet her health was drunk by all present, while the pipers marched around the table, playing once more the familiar air of "Auld lang syne."

Our readers, however, will remember, that since Lucknow was relieved by General Havelock, the Sepoy force, from 50,000 to 70,000 strong, had again surrounded the residency, and at later dates were threatening the gallant Havelock and his little army with destruction. Sir Colin Campbell, at the head of 20,000 men, was, however, quickly advancing to the rescue.

For the National Era.

WHY ARE WE NOT A MANUFACTURING PEOPLE?

The question of national pursuits is an important one. There are certain laws which govern the direction of productive power. How far any people conform in their circumstances to the conditions of success in any particular pursuit, can only be determined by the experiment of interested capitalists, under the test of competition. This is the essential principle upon which the doctrine of perfect freedom in commercial transactions is founded. In America, great branches of manufacturing interest have been submitted to this test, and have been found wanting in the power of self-support. Even under the protection of partial restrictions, it has been impossible to make investments of capital, and expenditures of labor, in these pursuits, safe and profitable. Others, without encouragement from Government or foreign support, have remunerated all outlays; and, firmly established in their power to supply a want of the consumer *to his advantage*, (for the consumer pays the bonus in all cases of protection,) they have grown to proportions well worthy of our industry and skill. In examining such cases, we find, as a matter of course, that they are peculiarly adapted to the physical circumstances or mental capacities of our people. It is wise to conclude that such is not the case in those branches whose failure has reflected so little honor on the policy of legislation which encourages the direction of capital to unprofitable employments. While there has been much general discussion concerning the respective advantages of different branches of industry among economists—which discussion is fruitless, as all are equally necessary, all under favorable circumstances and healthy legislation profitable, and as the interests of each people will vary with, and be determined by, its relative adaptation to them—there has not been much inquiry as to the peculiar physical circumstances of the United States, and the cause of our inefficiency in important branches of production. We will attempt to point out the simple law which governs the direction of national labor—the object of national industry. A very much greater part of the labor of the world must be expended in agriculture than in manufacturing, for the reason that much of the product of agriculture is never submitted to the labor of the manufacturer; and in the case of those which are, the operations by which they are adapted to the wants of the consumer, give more opportunity for mechanical invention and skill of hand. Therefore, much more of the productive power of the world is required in producing the raw material than in preparing and presenting it. Such being the case, agriculture becomes the general rule; manufacturing the exception. Those nations will manufacture, which are forced to it by the wants of their people; (for a crowded population inevitably leads to manufacturing, inasmuch as, when all lands are occupied, and the power of the soil is fully employed, their numbers press upon the means of support which their limited agricultural capacities afford.) Those nations also will manufacture, which have peculiar facilities for it, over those which they have for agriculture and commerce, and over the manufacturing power of other countries. In the first case, the necessities of labor reduce its price to the lowest point consistent with its physical maintenance—thus affording a qualification for that species of industry, which renders success almost certain. In the second case, natural advantages of territory and production inevitably direct capital and labor into that channel. Those nations, then, will constitute the exception, and supply the demand for manufacturing industry. Therefore, there will never be any tendency in a nation's industrial power to leave agriculture—the first condition of man's existence, and the first means of national support—until its capacities for production in that branch are fully improved, and its powers fully developed. Those nations will attend to agriculture which have any adaptation to it—which approach, in any great measure, the conditions of its success.

Such we believe to be the law which governs the direction of national industry. It is simple and plain. Let us see how the rule applies to the physical condition of the United States. We have no pauper labor to compel us to manufacture, and thus enable us to manufacture as cheaply as nations whose people are bound to the wheel and loom. Our territory is not yet occupied, our power of agricultural production not yet developed. This country *can* produce; therefore, it will not greatly prepare for consumption. It is true, that this country has got facilities for manufacturing—perhaps greater than any other country. Take, for example, the iron manufacture. The ore is found almost on the surface; in close juxtaposition are limestone and coal, which are necessary to the processes of preparation; our navigable waters convey the products to the best markets in the world. All this is true. Yet we have still greater facilities for agriculture. Suppose that we have (as may be true) 15 or 20 per cent. advantage—real, natural advantage; we mean, throwing out of consideration our folly in raising the price of labor by blowing wind into our currency—in the production of iron; we have 30 to 50 per cent. advantage in producing wheat. Our great and peculiar adaptation to it will be seen in the fact, that *extension of agricultural production with us is not obtained only by further improvements on old lands*, (as is generally the case in Europe,) *but by occupation of new lands.* That is, Nature (whose protection of peculiar branches of industry by peculiar gifts of soil, climate, and waters, should ever be regarded, since by following her lead, only, can the greatest production be secured) has imposed a tariff in favor of our agricultural interest of from one to five hundred dollars per acre, which is the price of such land, in Europe, as can here be obtained for nothing. Another reason for our want of success is found in the currency of the country, which alternately expands and contracts, but ever inflates the price of labor, while its ruinous revulsions destroy nearly all manufacturers who take the risks of business credit—and who does not? These reasons seem to us to account for our inability to compete, with full success, with other nations, even in our own markets. We can see no other reasons. The ingenuity of our people is proverbial, our natural resources are abundant. These require no greater outlays of capital than other branches of production which are successful; the common labor requires no long and difficult apprenticeship; yet the history of certain branches of the manufacturing interest has been a record of disappointment and failure. The spasmodic efforts of our Government have not succeeded in placing them on a firm and reliable basis.

F. A. W.

North Bloomfield, Mass., Jan. 16, 1858.

Don't Worry.—When Bulstrode Whitelock was embarked as Cromwell's envoy to Sweden, in 1653, he was much disturbed in mind as he rested in Harwich on the preceding night, which was very stormy, while he reflected on the distracted state of the nation. It happened that a confidential servant slept in an adjacent bed, who, finding that his master could not sleep, said:

"Pray, sir, will you give me leave to ask you a question?"

"Certainly."

"Pray, sir, don't you think God governed the world very well before you came into it?"

"Undoubtedy."

"And pray, sir, don't you think that He will govern it as well when you are gone out of it?"

"Certainly."

"Then, sir, pray excuse me, but don't you think you may as well trust him to govern it as long as you live?"

To this question Whitelock had nothing to reply; but turning about, soon fell asleep, till he was sommoned to embark.